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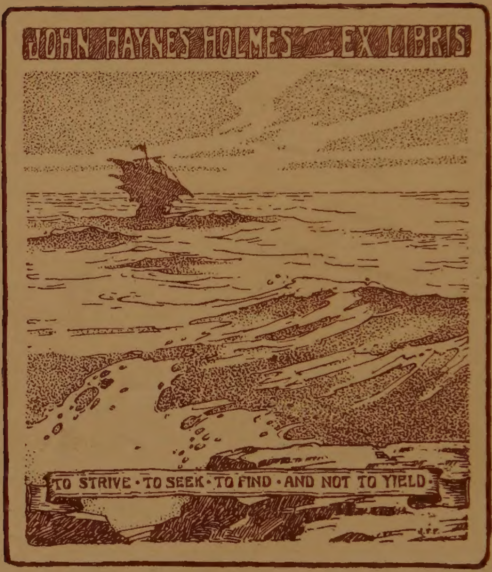
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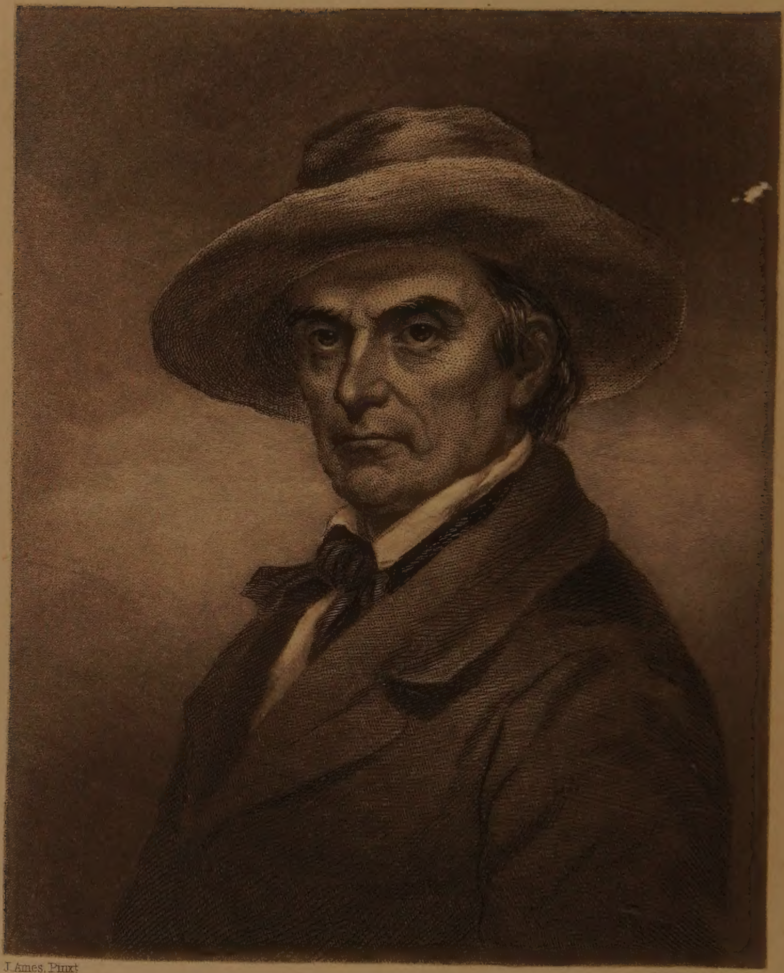
DANIEL WEBSTER

VOLUME II



J. Ames, Pinxt

H. Wright Smith Sc.

DANIEL WEBSTER

at Marshfield in his seventieth year

DANIEL WEBSTER

By

CLAUDE MOORE FUESS

VOLUME II
1830—1852

AN·ATLANTIC·MONTHLY·PRESS·BOOK

With illustrations

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DANIEL WEBSTER

VOLUME II

XVI

THE CONFLICT WITH JACKSON

The bank . . . has sought the accomplishment of the public purposes designated by its institution with distinguished ability and distinguished success.

— Webster, Speech in the Senate, May 25, 1832

Such has been the scenes of corruption in our last congress, that I loath the corruption of human nature and long for retirement, and repose on the Hermitage. But until I can strangle this hydra of corruption, the Bank, I will not shrink from my duty, or my part.

— Jackson, Letter to Cryer, April 7, 1833

The Jackson Administration marks the beginning of political parties as we have known them for almost a century.

— Bowers, *The Party Struggles of the Jackson Period*

No two figures in American history are more diametrically opposed than Daniel Webster and Andrew Jackson. Their backgrounds and political ideals were so different that there could be little intellectual kinship between them. Both were patriotic, strong-willed, and accustomed to leadership; but the steady and conservative New Englander was very unlike the impulsive and undisciplined Westerner. Webster was a scholarly civilian; Jackson was a rude and untamed warrior. Webster relied mainly on his reason; Jackson on his intuitions, which were frequently sound at bottom, though too often based on ignorance and affected by the violence of his passions. Webster, the representative of business and financial interests, had a shrewd sense of the value and rights of property; Jackson, the spokesman of the restless elements in society, had none. Webster was rooted in traditions and an historic past; Jackson was a child of the present, to whom a precedent was merely a clog. Webster was self-controlled, dignified, and urbane; Jackson was arbitrary, headstrong, and primitive. It was aristocracy against democracy, industrialism against agrarianism, logic against instinct. Although each respected the other and they were always on speaking terms, they agreed on nothing except the necessity of an indissoluble Union. Jackson could not long have endured so dictatorial a rival near his throne.

Nevertheless there were moments during Jackson's first administration when Calhoun's threats of nullification almost transformed Webster into the President's permanent ally. The latter made overtures, and Webster, at odds with Calhoun and disgusted with what he considered to be Clay's pusillanimous surrender on the tariff, listened to the tempting voice. But the wooing between the "mighty opposites" was only transitory, and the National Bank soon rent them asunder. Isaac Hill, Webster's ancient foe, now a Senator from New Hampshire, analyzed the situation astutely in a letter to Benton: "Nothing lacks now to complete the love-feast, but for Jackson and Webster to solemnize the coalition with a few mint-juleps. . . . But never fear, my friend. This mixing of oil and water is only the temporary shake-up of Nullification. Wait till Jackson gets at the Bank again, and then the scalping-knives will glisten once more."

Webster had looked upon Jackson's election as a calamity. Before the inauguration, he wrote, "My fear is stronger than my hope," and he contemplated Adams's departure with unfeigned disapproval. As early as 1830, he warned William Plumer that Jackson would probably run for a second term, and added, "What will be advisable, if Genl. J. should be again candidate, cannot now be decided."[1] A month later, he wrote Clay, pledging himself to support the latter for the Presidency. Towards the close of his letter, he said: —

> Parties must now, necessarily, be started out anew; and the great ground of difference will be Tariff and Internal Improvements. You are necessarily at the head of one party, and General Jackson will be, if he is not already, identified with the other. The question will be put to the country. Let the country decide it.[2]

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[1] National Edition, XVI, 197.

[2] *Ibid.*, p. 199.

Here, of course, is the origin of that political party which was, within a few years, to call itself "Whig," and which was started as an anti-Jackson movement. Its tenets were variously stated at various periods by various leaders; but its discordant personnel was first drawn together by antagonism to the crotchety old autocrat in the White House. Nothing but a mighty hatred could have brought Webster, Clay, Adams, and Tyler into the same camp.

Webster left Washington in late May, 1830, for New York, where, during his appearance at the Circuit Court, he was beset by inquisitive people. The *Courier and Enquirer* referred to him and Everett as "the two great Lions of the East, who are now shaking their manes in this devoted city."[1] Mrs. Webster had preceded him to New York, from whence he took her to Boston and introduced her to his friends, the Ticknors, the Masons, and others. He had intended to resign at the close of the session, but the influence of his wife and of Jeremiah Mason constrained him to continue in the Senate. He was busy during the summer, not only with the trial of the Knapps, but also with numerous cases in the Massachusetts Courts; but he and his children were reunited, first in Boston, and afterwards at Marshfield, which Mrs. Webster soon learned to love. In December, he was back in Washington, for a season which saw the open break, in February 1831, between Jackson and Calhoun, followed by the disruption of the cabinet because of the scandal over "Peggy" Eaton, the pretty wife of the Secretary of War. It was a period when little positive legislation was accomplished, but in which the anti-Jackson elements were consolidating their forces. Henry Clay, although he had held no political office since leaving the Department of State, was carrying on an extensive correspondence, making speeches, and keeping a sensitive finger on the national pulse. It was around him that the opposition had agreed to rally, and he had no reluctance to being the National Republican candidate.

During the summer of 1831, Webster made the final arrangements for the purchase of The Elms farm from the estate of his deceased brother, and, in June, Mrs. Webster and Julia accompanied him on a pious pilgrimage to the scenes of his childhood. Later he took his customary holiday on the Cape. But conditions in politics were disturbing his serenity. At a moment when the National Republicans needed all their strength, the Antimasonic movement introduced a factor the direction and influence of which no one could predict. Starting as a fanatical crusade in western New York, it had rapidly gained momentum in that state, and, by 1831, held in many sections the balance of power. Henry Clay himself had been initiated into the Masonic fraternity, but had long ceased to be an active member of any lodge. He and Webster — who had never been a Mason — were agreed in their feeling that Masonry was not a legitimate issue in politics. In the early autumn of 1831, when the Antimasons were considering the nomination of a presidential candidate, they made overtures to Webster, who would not listen to them;[1] and when, at their Baltimore Convention, they named William Wirt, Webster wrote to Ambrose Spencer that this ensured Jackson's reelection. The votes which Wirt would receive would be drawn mainly from the Clay ranks.

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[1] *New York Courier and Enquirer*, June 7, 1830.

Webster was still not without hope that the National Republicans might turn to him,[2] but Clay's campaign was already too well organized. Furthermore, Webster was already committed to Clay, and had to reconcile himself to seeing his rival assume the position of leadership. With regard to his political aspirations, Webster was seldom entirely candid. We must read between the lines in his correspondence if we are to understand the surging ambitions which swayed his mind.

Clay, acting on the counsel of his friends, — Webster among them,[3] — allowed himself to be elected to the Senate in the autumn of 1831, and, in December, was unanimously nominated for the Presidency by delegates from seventeen states. On his way to Washington, Webster lingered for a few hours at Baltimore and attended one of the sessions of the convention, but took no part in the proceedings. Wirt, who would have been glad enough to withdraw in favor of Clay, declined to work actively for his own election, but the damage done by his nomination could not be repaired. Clay, realizing his peril, turned in his quandary to a new issue — the rechartering of the Second Bank of the United States. With astonishing blindness, he selected the instrument of his own defeat.

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[1] See Plumer's account of a conversation with Webster, published in the National Edition, XVII, 558.

[2] See the statement by the Honorable Hiram Ketchum, of New York, printed in Curtis, I, 404.

[3] See Webster's Letter to Clay, October 5, 1831 (National Edition, XVI, 212–14).

Although Webster had never doubted the constitutionality or the utility of a Bank of the United States, he had opposed, in 1816, the reëstablishment of such an institution, because of certain features in the bill of which he could not approve. After a short period of mismanagement, the Bank, in 1819, had undergone a process of deflation which had saved it from insolvency but had made it unpopular in many quarters. A new president, Langdon Cheves, curtailed its loans and defended its interests. Meanwhile Webster was retained as attorney for the Bank, and argued its cause in the great case of *McCulloch* v. *Maryland*, in 1819, when Justice Marshall's decision warded off disaster. In 1824, Webster had again represented the Bank in *Osborn* v. *Bank of the United States* and *Bank of the United States* v. *Planters' Bank of Georgia*, cases of the highest importance in guaranteeing the freedom of that institution from state interference. He found the Bank a profitable client, and the Bank, from a purely selfish viewpoint, had every reason to feel indebted to Webster.[1]

In January 1823, with the election of Nicholas Biddle, of Philadelphia, as president, the Bank became somewhat more aggressive, although, as Catterall[1] points out, Biddle was no advocate of radical policies. He was, however, a vigorous personality,[2] inclined to overestimate the power of his institution. He persuaded Webster and James Lloyd[3] to act as confidential advisers regarding the business of the Boston branch, and Webster served one term of three years as a director of the Central Board. Under Biddle, Webster's relations with the Bank were very intimate. In 1827, he suggested a friend as director, and was much disgruntled when Biddle pointed out that the candidate's embarrassed financial circumstances were such as to disqualify him for such a position.[4] The appointment in 1828 of Jeremiah Mason as president of the Portsmouth branch was due chiefly to Webster's recommendation,[5] and in the same year he urged the naming of his brother-in-law, William Paige, as a director.[6] Biddle had a mind of his own, and, when Webster suggested the expediency of making a loan to Gales and Seaton, publishers of the *National Intelligencer*, the president explained that there was not sufficient security for an additional loan of $15,000, and added, "I have striven to keep the Bank straight & neutral in this conflict of parties, & I shall endeavor to persevere in that course."[7]

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[1] Webster also appeared for the Bank in *Finley* v. *United States Bank* (1826), *Williams* v. *United States Bank* (1826), *Bank of the United States* v. *Dandridge* (1827), *McGill* v. *Bank of the United States* (1827), *Bank of the United States* v. *Martin* (1831), *Winship* v. *Bank of the United States* (1831), and *Bank of the United States* v. *Hatch* (1832). In only one case — that of *Etting* v. *Bank of the United States* — was Webster employed against the Bank. In the Webster MSS. in the Congressional Library are several letters from Biddle requesting Webster to take charge of cases pending in the Supreme Court of the United States.

That Webster himself frequently took advantage of the facilities of the Bank by borrowing money from it is indisputable. When, in the heat of the controversy, his enemies charged him with participating in the "wages of corruption," he replied that he had discounted bills and acceptances "more or less frequently every year, in the ordinary way of business, as at other banks, but never otherwise." The Washington *Globe* asserted, on August 23, 1832, without eliciting a denial from Webster, that the latter was, at that time, responsible at the the Boston branch for $22,000 and at the Central Bank for $10,000. When, in 1834, a Committee of Investigation was appointed in the House of Representatives, Webster wrote to Edward Everett: —

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[1] *The Second Bank of the United States*, by Ralph C. H. Catterall (University of Chicago Press, Chicago, 1903). This is the standard monograph on the subject, on which any account of the Bank must be based. Some of the author's opinions must, however, be modified in the light of more recent discoveries.

[2] Nicholas Biddle (1786–1844), born in Philadelphia, graduated at Princeton in 1801, at the head of his class, and was for a time in Europe as private secretary of General Armstrong, in Paris, and later of James Monroe, in London. Returning in 1807, he settled as a lawyer in his native city, sat in the State Legislature, was chosen in 1819 as a government director of the Bank, and in 1823, through Monroe's influence, became its president. His *Correspondence*, edited by Reginald C. McGrath, was published in 1919, and throws much light on the methods of the Bank. He was "the financial autocrat of his time," and rather enjoyed being known as "Emperor Nicholas." He was suave, industrious, persistent, and unfailingly optimistic, but, from our modern standards, unscrupulous and defiant of public opinion.

[3] James Lloyd (1769–1831), a graduate of Harvard in 1787, served in the United States Senate from Massachusetts from 1808 to 1813, and later, in place of Harrison Gray Otis, from December 2, 1822, to May 23, 1826.

[4] *Biddle Correspondence*, pp. 41–42.

[5] *Ibid.*, pp. 52–53.

[6] Congressional Library MSS.

[7] *Biddle Correspondence*, pp. 58–59.

> If, in the course of your investigations, the committee should incline to notice my name, I wish you to state, as on my authority, that I never had any particular or unusual accommodation from the bank to the amount of a single dollar. . . . I never gave the bank any mortgage, and never had any standing loan, or any other accommodation, except in the way of discount of bills and notes, as at other banks.[1]

Doubtless Webster's statements on this occasion, and at other times, were literally true, but the fact remains that, throughout the period while the Bank was under attack, Webster, a Senator of the United States, was under heavy financial obligations to it.[2] There is no evidence that he was bribed, but an implied understanding must have existed. His relations with the Bank were such that he was bound to rush to its defense.

Many explanations — some of them fairly satisfactory, others less convincing — have been offered for Jackson's willful opposition to the Bank. Jeremiah Mason, as president of the

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[1] National Edition, XVIII, 6.

[2] Later, when the Bank secured a new charter under the laws of Pennsylvania, Webster's debts to it increased. A manuscript drawn up by Biddle in 1837, showing "loans made by the Bank & its Branches to members of Congress (as far as it is known)," places opposite Webster's name the sum of $17,782.86, this being one of the largest loans recorded. (*Biddle Correspondence*, Appendix, I, 357–59.) A document, hitherto unpublished, indicates that, in the spring of 1841, because of discounted notes and various overdrafts, Webster owed the Bank $111,166. (New Hampshire Historical Society Collections.)

Portsmouth branch, had incurred the enmity of certain New Hampshire Democrats, among them Isaac Hill. A petition for Mason's removal was prepared in Portsmouth and sent to Biddle, who declined to consider it; and this refusal, brought to Jackson's attention by Hill, may have aroused the presidential ire. Many of Jackson's closest advisers — men like Benton, and Amos Kendall, and Hugh L. White — had no confidence in the Bank; and certain newspapers, like the powerful *New York Courier and Enquirer*, were fighting the institution hard.

But all Jackson's philosophy of government would have drawn him, sooner or later, into opposition to a Bank of the United States. He was an agrarian, with an instinctive distrust of accumulated capital. He said to Biddle in 1829: "I do not dislike your Bank any more than all banks. But ever since I read the history of the South Sea Bubble I have been afraid of banks."[1] It has been suggested that Jackson had a personal grievance against the Bank, which had once refused to honor his draft except at a discount; but even this explanation is unnecessary. He was bound sooner or later to come out against it, if only because it was to him "a powerful privileged monopoly, dangerous to society." In this case, as in many others, Jackson's conduct was governed by sudden prejudices, and he employed arguments merely for making his passions seem logical.

At the time of his inauguration, the President was no friend of the Bank, but he had other matters on his mind, and, although he spoke out against it unequivocally in his annual messages of 1829 and 1830, asserting that it had "failed in the great end of establishing a uniform and sound currency," he did not press his antagonism. Even in his message of December 6, 1831, while reiterating his convictions, he announced himself willing to submit the question "to the investigation of an enlightened people and their representatives." With characteristic shrewdness, he had decided that it would be unwise to introduce the issue on the eve of a presidential election.[1] If Biddle and his advisers had been content to let the sleeping dog rest in peace, Jackson would probably have taken no steps against the Bank.

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[1] The complete conversation, as reported in Biddle's own memorandum, is printed in Biddle's *Correspondence*, pp. 93–94. For a further discussion of Jackson's motives, see Catterall, pp. 182–85, and Bowers, pp. 202–5.

For stirring Jackson into action, Webster must bear a considerable share of the responsibility. He and Clay, disturbed by the threat of Antimasonry, were casting about for a new issue. Although the charter of the Bank was not to expire until 1836, the possibility of an early application to Congress for a renewal had naturally occurred to the directors; but Biddle did not wish to act until after the contest of 1832 was over. Clay had frequently expressed the opinion that it was too soon to petition for a renewal,[2] and Webster had agreed with him.

But in the late autumn of 1831, before the meeting of the National Republican Convention in Baltimore, both Clay and Webster changed their minds. Clay, in November, sent word that an application should be filed at once; and Webster, stopping off at Philadelphia on his way south, urged Biddle to press immediately for action by Congress. It was well known that the Bank had a favorable majority in both the Senate and the House, and it was felt that the President, with an election imminent, would not dare to interpose his veto. Even if he did, Clay and Webster believed that he would lose votes by so doing.

Never were political strategists more sadly disillusioned. Biddle himself, apprehensive, hesitated for some weeks, and his special agent, Thomas Cadwalader, reported to him that Webster's opinions, being guided by party needs, must be somewhat discounted.[3] But pressure from two such leaders as Clay and Webster was too strong to be resisted. Soon Biddle notified Samuel Smith that he had resolved to prepare a memorial to Congress "after great reflection & with the clearest convictions of its propriety." [1] His reasoning indicates that he had been entirely converted, but it is probable also that he perceived the advisability of propitiating the National Republicans, who were determined to make the Bank an issue.[2] As they saw it, an application for a renewal of the charter would damage Jackson; if he vetoed the measure, he would certainly lose the electoral vote of Pennsylvania; if he failed to do so, he would suffer in the West and South. Thus did the Bank of the United States, most unfortunately, become the football of party politics. So little did Webster understand the temper of the American people that he wrote to Biddle: "I cannot but think you have done exactly right. Whatever may be the result, it seems to me the path of duty is plain. In my opinion, a failure, this session, if there should be one, will not at all diminish the chances of success, next session." [3]

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[1] Biddle wrote to Webster, February 3, 1830: "I wish you could give a gentle impulse to the Com. of Ways and Means. I am afraid that there may be some new combination of parties or factions in which the Bank may be embroiled in spite of itself." (Cong. Lib. MSS. III.)

[2] Catterall, p. 215.

[3] Cadwalader to Biddle, December 25, 1831 (*Biddle Correspondence*, pp. 155–58).

Although warned that his plan would be vetoed by the President, Biddle did not shrink, and the formal application was presented to Congress. For many weeks the Capitol was the scene of very active lobbying. Things seemed to be progressing favorably for the Bank. After consultation with Livingston, certain modifications were made in the charter to meet what were thought to be Jackson's objections. And then Benton, who hated the Bank, turned harmony into discord by taking steps towards an investigation. To what extent the President was in league with Benton will probably never be known, but he refused to form an opinion until the inquiry was completed. The Clayton Committee, composed mainly of anti-bank Representatives, made a hastily prepared and incoherent report to the House, charging the Bank with illegal practices. No real proof was offered, but Jackson was convinced of the Bank's "corrupting influence," and once his mind was made up, it could not be changed.

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[1] *Biddle Correspondence*, pp. 161–65. This letter should be read entire if the motives actuating Biddle and his directors are to be fully comprehended.

[2] Cadwalader wrote Biddle that, by proposing a renewal of the charter, they would retain the support of the National Republicans, "some of whom wd. be lukewarm, Webster wd. *be cold*, or perhaps hostile, if we bend to the Govt. influence." (*Ibid.*, p. 158.)

[3] Webster to Biddle, January 8, 1832 (*Ibid.*, p. 169).

In the course of the debate which ensued, Webster, on May 25, 1832, spoke briefly, summing up in masterly fashion the benefits which the Bank had conferred, and might be expected to confer, on the country, and declaring that its affairs had been conducted "with fidelity, as well towards the government as towards its own stockholders." When Moore, of Alabama, introduced an amendment making the consent of a state essential for the establishment of a branch of the Bank of the United States within its borders and granting the power of taxing such branches to the state, Webster protested, and repeated many of the arguments which he had already used before the Supreme Court. Although even Webster was convinced that Jackson would veto the bill renewing the charter,[1] it was passed in the Senate on June 11, and in the House on July 3. Just a week later, after securing the approval of Van Buren and conferring with his advisers, Jackson sent back the expected veto message, in which, with consummate strategy, he appealed to the common people.[2]

With what Biddle called "the fury of the unchained panther, biting the bars of his cage," Jackson stirred up the humble members of society against the well-to-do and the powerful. Claiming to speak for the laborer against the capitalist, he resorted to all the trickery of the demagogue in arraying the masses against the classes. To Biddle, this seemed like "a manifestation of anarchy," and its reasoning on economic problems was, as Catterall has said, "in the main beneath contempt." But it did bring out the fact that the Bank had made loans of considerable size to newspaper men and politicians who might be expected to influence public opinion. There was no direct evidence of corruption,[1] but Jackson was not seeking the truth. It was his purpose to rouse the suspicions and the passions of the average citizen, and in this he was wholly successful.

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[1] Webster wrote to White, June 28, 1832, expressing the opinion that the President would interpose his veto. But, with incredible blindness, Webster added: "In the end the Bank will be incorporated. It has an inherent popularity that will and must carry it through, though it will not get there this time." (National Edition, XVII, 520.)

[2] The message was written largely by Amos Kendall.

The Veto Message, with what he called "Its *trash* on the Constitutional question,"[2] led Webster to speak on the following day in the Senate in answer to the allegation that the Bank was unconstitutional. He saw clearly that the controversy was another phase of the struggle between nationalism and localism, in which he had been engaged for many years.[3] Jackson had maintained the right of individual government officers to support the Constitution as they understood it, — "not as it is understood by others," — and Webster rightly interpreted this as a veiled attack on the Supreme Court. He also, with the impending presidential campaign in mind, warned the nation of the disaster which would result if the Bank were suddenly abandoned. He raised the bogeys of financial panic and widespread bankruptcy in order to frighten respectable citizens. . . . But there was never any real hope of overriding the veto. In the Senate, the vote was even less decisive than before, and Congress adjourned on the same day, perfectly willing to let the country decide between Jackson and his enemies. Tired out, Webster went at once to the seashore to recruit his strength and prepare for the approaching campaign.[4]

Early in this session, Webster had clashed with the administration on a question which ended in the making of a President. Under Clay's magnetic leadership, Jackson's opponents had initiated an aggressive warfare. An opportunity for causing trouble arose unexpectedly with the nomination of Van Buren as Minister to England.[1] Van Buren was already in London, where he had made a favorable impression. No one denied that he possessed the qualifications requisite for his post. Nevertheless, his intimacy with the President made him a shining mark for the opposition, and, when his confirmation was brought up in the Senate, it was resisted, on various grounds. In a secret session, on January 24, 1832, Webster called attention to the fact that, on July 20, 1829, Van Buren, then Secretary of State, had issued instructions to McLane, at the Court of St. James's, to reopen negotiations with England for the revival of trade between the United States and the British West Indies, and ordering him to abandon certain claims made by Clay, as Secretary of State under John Quincy Adams. It was Webster's contention that Van Buren, by issuing these instructions, had from partisan motives cast a slur on the preceding administration. Webster somewhat unctuously avowed that he was actuated solely by a sense of duty, but no one doubted that he welcomed a convenient excuse for making Van Buren uncomfortable. Ultimately the Senate, through the casting vote of Vice President Calhoun, rejected the nomination.[2]

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[1] Catterall, after a thorough investigation, declared, "There never has been any evidence produced to show that the bank as a national bank ever spent a dollar corruptly." (Catterall, p. 243.)

[2] National Edition, XVI, 223.

[3] Channing, *History of the United States*, V, 446, says, "The question was as to whether the local banking system should flourish or should be destroyed by the institution which had been chartered by the federal Congress."

[4] Webster wrote to Joseph Story, July 21, 1832, "I have been unwell for three weeks, quite run down." (National Edition, XVI, 223.)

Victory was temporarily with the opposition, but they were soon aware that they had committed an egregious blunder. Van Buren, undisconcerted, returned smilingly wearing the martyr's crown, to be greeted as Jackson's successor. Clay, Calhoun, and Webster were to pay dearly for their temporary triumph. Webster himself was noisily denounced by the Democrats, especially in New Hampshire, where Isaac Hill was at last in a place of power.

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[1] Martin Van Buren (1782–1862) went to school in his native village of Kinderhook, New York, studied law, and was admitted to the bar in 1803. He became an adherent of Jefferson, entered politics, and was elected United States Senator in 1821. After an election to a second term, he resigned to become Governor of New York, and supported Jackson in the campaign of 1828. He was made Secretary of State in the new administration, but resigned in June 1831, at the time of the "Eaton malaria." Of about the same age as Webster, he was opposed to him politically, and his *Autobiography*, edited in 1919 by John C. Fitzpatrick, has many caustic references to his rival. Known as the "Red Fox," he was one of the suavest and subtlest politicians of his generation. There is an admirable brief sketch of him in Bowers, pp. 55–56.

[2] Ben Perley Poore stated that, just before the "ayes" and "noes" were called, Webster walked out of the Senate Chamber and went downstairs to the Supreme Court Room until the vote had been taken, thus leaving Calhoun to give the casting vote against Van Buren, who was recognized as being his most conspicuous rival. (Poore, I, 129.)

On May 11, 1832, a gathering of young men — called at the time "Clay's Infant School" — met in Washington, ratified the nomination of Clay and Sergeant, and adopted the first regular platform ever issued at a party convention — a platform which advocated a protective tariff and internal improvements, asserted the authority of the Supreme Court, and assailed Andrew Jackson. It was a programme reminiscent of the old Federalist doctrines. Nothing was said about a National Bank, the battle over which was then just beginning in Congress, but, by midsummer, everybody knew that the Bank was the real issue in the warfare against "Old Hickory."

Clay had courageously come out in public against any interference by the government with Freemasonry. Even with the loss of the Antimason vote, however, he was sanguine almost to the very day of the election. He had no realization of the popularity of Jackson with the people, and he did not yet perceive the tragic results of introducing the Bank into politics. Whether from indifference or fatigue, Webster took no active part in the campaign. During August and September, he spent most of his time with his new wife at Marshfield and other spots on Cape Cod, hunting and fishing, and sailing in a beautiful yacht, the *Calypso*, presented to him by Stephen White. The sport was good, and he hated to leave it, even to argue cases before the Supreme Court of Massachusetts or appear at the State National Republican Convention at Worcester. But not even a hundred speeches by Webster could have availed to save Henry Clay. Jackson confidently said to Senator Hill, "Isaac, it 'll be a walk." He was right. There was a brief period of doubt while the returns came in from Kentucky, Maine, Ohio, and Pennsylvania; but, when the votes were counted, Clay carried only Massachusetts,[1]

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[1] Massachusetts was still strongly conservative and had an intense distrust of Jackson. Emerson wrote in his Diary, November 6, 1832, "We shall all feel dirty if Jackson is reëlected."

Rhode Island, Connecticut, Delaware, and Kentucky, with five votes from Maryland. The Electoral College gave Jackson 219, Clay 49, and Wirt 7. Even in the popular vote, Jackson had a majority of 124,392 over his two opponents. The occupant of the White House had secured the vindication of the people.

The Congressional Session following the election was devoted principally, as we have seen, to the Force Bill and the Compromise Tariff, on which Jackson and Webster were agreed. The latter was now reconciled to remaining in the Senate, and, in mid-January, the Massachusetts General Court elected him, with his consent, to succeed himself.[1] He remained in Washington long enough to see Jackson take the oath of office on a day when the streets were filled with snow. Two weeks later, he was on his way north, meeting his wife in Philadelphia and reaching Boston in early April.

The overwhelming defeat of Clay had naturally reawakened in Webster's ambitious heart a desire to be the presidential candidate of his party in 1836. Van Buren, always suspicious, wrote that Webster left Washington in the spring of 1833, resolved to supplant Clay as the leader of the National Republicans and to conciliate the good will of President Jackson — two aims which were hardly consistent. The "Red Fox," the wiliest political manager of his generation, attributed to Webster motives of which the latter probably never conceived. Van Buren, in discussing the situation, said, "Mr. Webster was then and had always been a party man, certainly among the strictest if not also among the bitterest of his sect." [2] This remark was made almost at the very moment when Webster had shown his complete independence by opposing Clay on the "Force Bill." It was inconceivable to Van Buren that Webster's friendliness with Jackson could have been the consequence, as it undoubtedly was, of genuine patriotism.

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[1] The vote in the House of Representatives was: Webster, 432; John K. Simpson (the Jackson candidate), 46; William Baylies, 3; Henry Shaw, 1. The Senate cast its vote unanimously for Webster. The *Columbian Centinel*, commenting on the choice, said, "It is a very rare occurrence, in these times of party excitement, to see a National Senator elected by a unanimous vote."

[2] Van Buren's unmitigated hatred of Webster so colors his narrative of these years that he cannot be trusted even on unimportant details. Van Buren was well aware that Webster was his most dangerous obstacle to securing the Presidency in 1837, and he scrutinized his every move as a duelist watches his foe. Van Buren was ineradicably cynical, and wrote in his *Autobiography* of Clay and Webster as "somewhat weather-beaten politicians, who, whatever may have been their enthusiasm at earlier stages in

For two or three years Webster had been meditating a trip to the Ohio Valley and the "West," ostensibly for pleasure, but in reality to make himself known to the inhabitants of that region. Meanwhile the President had arranged for a tour of New England, starting shortly after June 1. Webster informed Lewis Cass that he would be back in Boston to welcome Jackson, but he found it inconvenient to disrupt his original schedule, and he and the President did not meet in Massachusetts. It was clearly to Webster's political advantage that they should not seem to be too intimate.

Webster's Western excursion was an almost continuous ovation. Leaving with his wife and daughter and Stephen White in late May, he lingered for a day or two in Albany, inspecting a famous farm. The ladies then went back to Boston, and he continued up the Mohawk Valley, receiving an enthusiastic reception on June 4, at Utica, where he was hailed as the Defender of the Constitution. Everywhere the people, regardless of political affiliations, cheered him and his oracular utterances. At Buffalo, a steamship named in his honor was launched on Lake Erie. He declined public dinners there and at Columbus, but could not avoid attending one at Cincinnati, where he was introduced as "the uniform friend and advocate of the Western country." Henry Clay had invited him to visit Ashland, but an epidemic of cholera in Kentucky led Webster to turn east at Cincinnati. At Pittsburgh, which he reached on Independence Day, he was waited upon by a committee of citizens. Again he refused a public dinner, but a reception was held for him at which the Mayor praised him as "the great champion of the Constitution."

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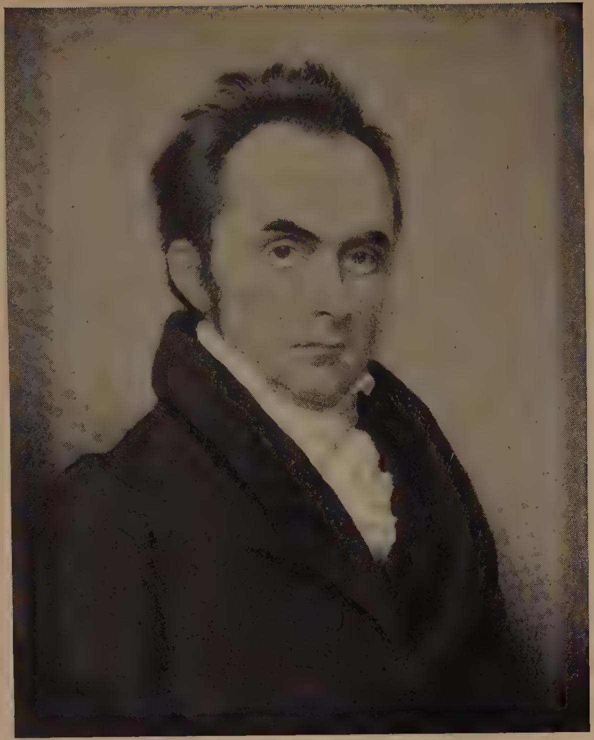
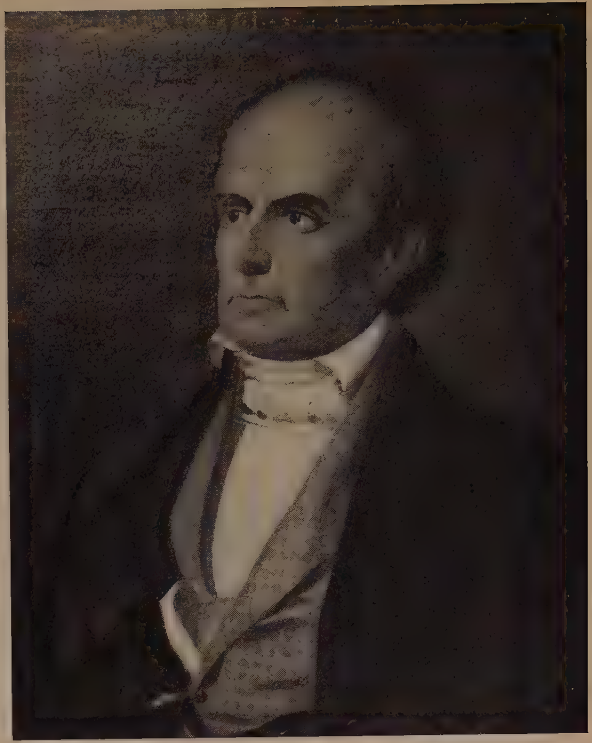
their careers, were no longer swayed by that ardent devotion to particular political tenets . . . which younger Statesmen . . . could not shake off at will." (*Autobiography*, p. 706.)



A PORTRAIT OF WEBSTER

Painted on ivory by Sarah Goodrich
(Courtesy of Massachusetts Historical Society)



THE WEBSTER PORTRAIT AT PHILLIPS EXETER ACADEMY

In reply he spoke gracefully, stressing the necessity of internal improvements for the benefit of the Ohio Valley, and commending Jackson for being "true to his duty" during the nullification crisis. He was back in Boston on July 15, well satisfied with the results of his trip.

From several platforms on his journey, he had spoken of Jackson's courage in resisting "the disorganizing doctrines of nullification"; and, according to Charles W. March, Webster met Livingston in New York, in June, to discuss the possibility of a complete reconciliation with the President. It was even intimated by March that Livingston offered Webster a seat in the cabinet.[1] The story has no other authority, and there is no method to-day of verifying it from any other source. Van Buren, a somewhat prejudiced reporter of these events, discussed March's statement in his *Autobiography* and concluded that Livingston probably exaggerated some expressions by the President of good will towards Webster.[2] If such a proposal was made, Webster could not have taken it seriously. Almost at that very minute, the implacable Jackson was about to take a step which was to drive Webster back into the ranks with Clay.

On Jackson's tour of the Eastern states, he had been welcomed with cordiality, although the degree of Doctor of Laws granted him by Harvard had greatly irritated John Quincy Adams. Prostrated at times by illness, he relied on his indomitable will, and he had, even before reaching Boston, determined to remove the government deposits from the Bank of the United States.[3] Spurring him on to this course were Amos Kendall, Roger B. Taney, and Frank Blair, whose counsels were preferred to those of the more cautious Van Buren. After a rest of some weeks at the Rip Raps, in Hampton Roads, the President, refreshed and panting for revenge, dismissed William J. Duane, the Secretary of the Treasury, when the latter refused to do his bidding, and appointed Taney to the vacant cabinet post. Taney, more tractable, issued, on September 26, 1833, the historic order providing that all public moneys paid in after October 1 should be deposited in the Girard State Bank of Philadelphia and twenty-two other selected state banks. The plan aimed to terminate the life of the Bank gradually so that its dissolution might be anticipated in season by financial interests. It was a vindictive measure, absolutely unnecessary in view of the impending abandonment of the Bank on March 3, 1836. Although Jackson had only recently been the champion of nationalism, he now sponsored an act quite at variance with any nationalistic policy.

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[1] March, pp. 250–51.

[2] Van Buren, pp. 700–11.

[3] Bassett, *Andrew Jackson*, 637–38.

With a blindness not creditable to their political acumen, Clay and Webster apparently believed in all sincerity that Jackson had been delivered into their hands. Taught nothing by defeat, they could not understand the extent of popular distrust of the Bank. Writing from Boston on October 29, Webster pointed out to Biddle that "the removal of the Deposites [1] is a question of great interest to the Government, & as such will doubtless attract the attention of Congress," and suggested to him that the whole matter should be laid before Congress by the Bank.[2] Although he was fully aware that he was to be a presidential candidate in 1836, Webster was willing to make the Bank an issue.

Webster was also thinking of immediate and very practical matters. On December 21, just before the Congressional battle was to begin, he sent a note to Biddle, in which was the following paragraph: —

> Since I have arrived here, I have had an application to be concerned, professionally, against the Bank, which I have declined, of course, although I believe my retainer has not been renewed, or *refreshed*, as usual. If it is wished that my relation to the Bank should be continued, it may be well to send the usual retainers.[3]

To this blunt hint of warning, — peculiarly naïve in view of Webster's indebtedness to the Bank at that moment, — Biddle, replying two days later, turned a deaf ear. Apologists for Webster declare that his action in defending the Bank was the result of real conviction and not of self-interest; but his conduct shows that he was not indisposed to take advantage of Biddle's embarrassing situation. As a Senator of the United States, he should have placed himself above suspicion. This he clearly did not do.[1]

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[1] The spelling "deposites" instead of "deposits" was very commonly used in the newspapers and public documents of that period.

[2] *Biddle Correspondence*, pp. 216–17.

[3] *Ibid.*, p. 218.

For the financial stringency of the following winter, historians, depending on their political bias, have blamed either Jackson or Biddle. Webster himself believed that the business panic was due to the shock which the removal of the deposits "had given to *confidence* in the commercial world." Recent investigators, including Catterall and Bowers, have pointed out that the directors of the Bank adopted measures, such as the reduction of discounts, the collection of balances against state banks, and the general keeping down of circulation, which were not called for by the situation.[2] Biddle probably did his utmost to make the disturbance seem even more acute than it was. Indeed, he wrote to William Appleton, on January 27, 1834, declaring that the only logical policy for the Bank to follow was perseverance in "a steady course of firm restriction," and adding, "Nothing but the evidence of suffering abroad will produce any effect on Congress." [3]

In the Twenty-third Congress, which opened on December 2, 1833, Massachusetts had a delegation which, for sheer ability, has never since been equaled from that state. Besides Silsbee and Webster, the two Senators, there were, in the House, John Quincy Adams, Edward Everett, Levi Lincoln, John Davis, and Rufus Choate — a remarkable group of men, whom nobody but Webster could overshadow. Arriving in Washington in early December, Webster found himself in the midst of what was called the "Panic Session." The Capitol was in a turmoil. Committees appeared at Washington, bringing petitions begging for the restoration of the deposits in order to ameliorate business depression, and were told by Jackson to seek relief from Biddle. Resolutions were passed by public gatherings, especially in commercial centres, denouncing Jackson and Taney for their arbitrary action. Rarely, since the formation of the republic, had Congress been the scene of such disorder.

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[1] Channing, V, 245. Curtis, I, 492–500, implies that Webster was not at this time employed professionally by the Bank, and undertakes to defend him against the charge of taking exorbitant fees and of having a financial interest in the continuation of the institution. From the standpoint of present-day legal ethics, it is difficult to excuse Webster's attitude.

[2] For a vivid presentation of the pro-Jackson point of view on the Bank, see Bowers, p. 310 ff. See also Catterall, p. 229.

[3] *Biddle Correspondence*, p. 219.

Vice President Van Buren, deliberately returning late to Washington in order to avoid embarrassment with regard to the appointment of Senate committees, was summoned at once to the White House, where he found Senator Felix Grundy. To Van Buren's dismay, the latter, evidently with Jackson's approbation, suggested the possibility of an understanding with Webster on the matter of the choice of committee members. The "Red Fox," after some rapid thinking, spoke out against any such political agreement. He dwelt shrewdly on the fundamental antagonism between Jackson and Webster, especially over the Bank, — "which we all knew would be the principal object of the session," — and declared himself ready for the fray. "Old Hickory," standing with his hand resting on the mantelpiece, listened attentively to Van Buren's remarks. When the latter had finished, Grundy quietly advised the President to drop the matter, and the topic was never again brought up. To what extent Webster knew of this proposal cannot be ascertained. A few days later, the "Battle of the Gods" had begun, and any faint hope of an alliance between him and the White House had vanished. The crafty Van Buren had secured his revenge on his foe.[1]

The House of Representatives had a Jacksonian majority, but, in the Senate, the critics of the administration were in control. Clay and Webster, although each suspected the other, were soon again united in their common antagonism of the old warrior in the White House, and Calhoun took his place at their side. Out of this strange coalition was born the Whig Party, with but one main object — to drag Jackson and Jacksonian democracy down to destruction. John Tyler, the advocate of State rights, who had been the only Senator with courage enough to vote against the Force Bill of the preceding winter, was now the confederate of Daniel Webster, who had pressed that measure to a successful conclusion. Henry Clay, the "Great Compromiser," was now with John C. Calhoun, the "Great Nullifier" and opponent of the American System.[1] Such a heterogeneous alliance was sure to disintegrate when other issues besides that of "Down with Jackson!" were raised.

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[1] This story is told dramatically and complacently by Van Buren in his *Autobiography*, pp. 677–79. Van Buren unquestionably exaggerated the probability of an understanding between Jackson and Webster. Even had the latter so desired, he was too much implicated to withdraw from the support of the Bank.

The Senate was in an angry mood. It ruthlessly rejected the nominations of those Bank directors who had furnished evidence to Jackson; it passed resolutions demanding information from the Chief Executive; and Henry Clay proposed to censure the President for assuming "authority and power not conferred by the Constitution and laws but in derogation of both." Never did Webster's statesmanship show itself to better advantage. Clay, despotic and intemperate, refused to listen to proposals of compromise and openly paraded his hatred of Jackson. Webster, who was less vindictive, declined to resort to personalities and tried his utmost to bring financial conditions back to normal. On January 20, 1834, in presenting some resolutions passed at a public meeting in Boston, he discussed the situation without acrimony and without a single direct reference to the President. Although disclaiming any authority to speak for the Bank, he suggested a compromise in the form of a renewal of the charter of the existing institution, with "such alterations as may be expected to meet the general sense of the country." Meanwhile, in order to restore the confidence of the nation, he urged a return of the deposits.

It has been computed that, during that session, Webster spoke on the Bank and kindred topics no fewer than sixty-four times, often in connection with the presentation of memorials and petitions and always with an understanding of economic problems which would have influenced any body of men less swept by violent emotions. In March, he supported a compromise measure by which the Bank would be continued for six years, the deposits would be restored after July 1, 1834, Congress would be at liberty to create any new bank after March 1836, and the directors would be entitled, at any time within the last three years of its continuance, to divide the capital among the stockholders. It was a sensible solution to the difficulties, and Webster presented an incontrovertible argument. Biddle was ready to accept it, and friends of the administration were willing to support it. But Clay, always the politician, had no intention of allowing Webster to gain prestige by this means;[1] and even Calhoun, criticizing it as merely a temporary device, proposed an alternative plan, extending the recharter for twelve years. In an undated letter of this period, Webster wrote Biddle, "If Mr. C. and Mr. C. would go along with us, we could carry the compromise bill through the Senate by a strong *two-thirds* majority. Can you write through anybody to talk with Mr. Calhoun?"[2] Jealousy prevented the anti-Jackson forces from reaching unanimity. The implacable Clay resented Webster's attempt at a constructive plan, and the latter soon moved to lay his own motion on the table, having been warned that, if he did not do so, Clay would do it for him. The latter insisted on a battle to the bitter end.

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[1] Tyler, *Letters and Times of the Tylers*, I, 476 ff., advances the paradoxical theory that the Whig Party, in its origins, was "properly a State-rights party," and supports his argument by indicating the miscellaneous elements of which it was composed.

On Clay's resolutions censuring the President, Webster did not speak directly, but they precipitated the longest debate in either branch of Congress since the organization of the Federal Government. After some modifications, they were passed, Webster and Silsbee being counted, with Calhoun, Clay, Clayton, and Tyler, in their favor; while voting in the minority were Benton, Isaac Hill, White, and Wright.[1] Stung by this attack, Jackson retaliated in his famous Protest, in which, with obvious sincerity, he contended that the censure was illegal and made a pathetically eloquent reference to his sacrifices for his country. Poindexter was ready with a resolution not to receive the Protest, and the controversy was on once more.

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[1] Writing to Biddle on February 2, 1834, Clay said: "My opinion is that no movement should yet be made towards a renewal of the Charter, or the establishment of a New Bank. The Bank ought to be kept in the rear; the usurpation in the front." (*Biddle Correspondence*, p. 220.) Clay cared nothing for the Bank, except in so far as it might further his political ambitions.

[2] Catterall, p. 336.

Towards the close of the debate, Webster delivered the speech which in his *Works* is entitled "The Presidential Protest"[2] — the finest single utterance of that talkative winter. He opened with a tribute to Jackson as a leader "whose honesty of motive and integrity of purpose are still admitted by those who maintain that his administration has fallen into lamentable errors," and he acknowledged that it pained him "to be in such a conflict with the executive government." Language of this kind, after the rancorous personalities of the preceding weeks, was soothing and arresting. Then, with a cool and logical Constitutional argument, of the sort which would have appealed to a Justice of the Supreme Court, he demonstrated the right of the Senate to pass a vote of disapproval of the Executive and expresssed the view that the Poindexter resolutions were correct in stating that Jackson's Protest claimed for the President powers which were inconsistent not only with the authority of Congress but also with the Constitution. It was a notable speech — notable in its fairness, in its careful reasoning, in its legal scholarship, and in its occasional passages of eloquence, like the paragraph which concluded with his generous reference to England: —

> A power which has dotted over the surface of the whole globe with her possessions and military posts, whose morning drum-beat, following the sun, and keeping company with the hours, circles the earth

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[1] The vote, taken on March 27, was 26 to 20 in favor of the censure.

[2] This speech, delivered May 7, 1834, is in National Edition, VII, 103–47.

with one continuous and unbroken strain of the martial airs of England.[1]

As he finished his argument, Webster said, with an earnestness which was impressive: —

> I feel that I am not wrong. . . . But I have desired to say nothing that should give pain to the chief magistrate personally. I have not sought to fix arrows in his breast; but I believe him mistaken, altogether mistaken, in the sentiments which he has expressed; and I must concur with others in placing on the records of the Senate my disapprobation of those sentiments.

It is regrettable that public questions cannot more often be discussed with the dignity and fairness which Webster employed. In this "Battle of the Gods" he stands out as the true Olympian, towering far above the scurrilous Clay and the immoderate Poindexter. A perusal of the Senatorial debates in 1834 leaves one with a profound sense of Webster's superiority in manners, good taste, and logic to all his rivals on the floor. On June 18, Emerson wrote in his Diary, "Webster's speeches seem to be the utmost that the unpoetic West has accomplished or can."

Eventually Poindexter's resolutions passed with a margin of eleven votes. One other gesture of defiance still remained for the Senate. Although the House had passed a report submitted by Polk, justifying Jackson's acts and asking for an investigation of the Bank, Clay obstinately introduced a resolution calling for the restoration of the deposits. Doubtless its passage in the Senate by a strict party vote gave Clay some pleasure. But actually there was nothing that he could do. The Senate and the House were at cross-purposes; people were losing interest rapidly in the Bank; and the Senate could accomplish little except to refuse to confirm Andrew Stevenson as Minister to England and Taney as Secretary of the Treasury. It was a small result for seven months of bickering. When Congress adjourned in June, financial conditions had improved, and the newly named Whig Party was taking shape.

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[1] Speaking of this passage to Harvey, Webster said, "I got that impression as I stood on the walls of Quebec for the first time; and, casting an imaginary glance over the broad extent of that dominion, thought of the magnitude and power that governed half a civilized globe by her supreme intellect." (Harvey, pp. 144–45.)

The results of the autumn elections were not such as to reassure the Whigs. With the Bank as the chief national issue, Pennsylvania and New Jersey early went for Jackson, the Democrats won in New York, and Poindexter was defeated in Mississippi. In Massachusetts, the Antimasonic vote dropped off, and the National Republicans made a heavy gain over the preceding year, electing John Davis as Governor by a large majority.[1] Certain facts were clear. The Antimasonic movement had spent its force, and its members had enrolled with one of the two dominant parties. It would be folly for the Whigs to support the Bank any longer. Webster himself announced that he considered the question to be closed, and, in a speech on February 26, 1835, said: —

> I wish to say that I consider the question of renewing the bank charter as entirely settled. It cannot be renewed. Public opinion, very unfortunately, as I think, for the country, has decided against it; and while there is a strong and prevailing sentiment in the minds of the community against a measure, it is quite useless to propose it. For myself, I shall take no part in any attempt to renew the charter of the bank. The people have decided against its continuance, and it must expire.

Reluctantly but wisely, Webster thus admitted defeat. He had fought desperately against the inevitable, and now he was convinced of the uselessness of any further struggle. He and Clay had selected their issue and had been unceremoniously routed. It was the business of the Whigs, if they proposed to overthrow Jacksonism, to attack from another quarter.

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[1] The vote in Massachusetts in 1834 was: John Davis (National Republican), 44,802; Marcus Morton (Democrat), 19,255; and Bailey (Antimason), 10,795. During the summer, Webster did everything possible to reconcile the Antimasons and the Whigs in Massachusetts.

XVII

A CANDIDATE FOR THE PRESIDENCY

It does not consist with my sense of duty to hold out promises or anything which might be regarded as equivalent to promises, particularly on the eve of a great election, the results of which are to affect the highest interests of the country, for years to come.

— Webster to Irwin, November 30, 1835

Mr. Webster had a right to think that his talents were, in some respects superior, and in all, at least, equal to those of Mr. Clay.

— Martin Van Buren, *Autobiography*

Drawing to a close was the colorful reign of King Andrew — an epoch of turbulence and change, when, to a democracy which had come at last into its own, the past seemed like "a bucket of ashes." The common people, their gaze fixed on to-morrow, had ruthlessly discarded precedents and traditions. The old days when the country was governed by the rich, the intelligent, and the well-born had vanished forever, and the pace was getting faster. The railroad, annihilating time and distance, was "the trumpet of a prophecy." John Quincy Adams, whirled through space at a terrific rate of a mile in one minute and thirty-six seconds, met with an accident in which many of his fellow passengers were mangled or killed.[1] In 1838, Philip Hone made the trip from New York to Philadelphia in six hours and a half.[2] Webster does not mention his first ride behind a locomotive, but, before the end of Jackson's administration, he was traveling from Boston to Washington largely by steam, and he was later to be in two serious collisions. The first steamships from Liverpool to New York — the *Sirius* and the *Great Western* — docked at the latter port in April 1838, thus accomplishing another miracle.

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[1] Adams, *Memoirs*, IX, 30-31. This disaster happened on November 6, 1833, in New Jersey.

[2] Hone, *Diary*, I, 288. Philip Hone (1780-1851), a New York merchant, retired with a fortune at the age of forty and devoted himself to public service. He was elected Mayor of the city in 1826. A Federalist and later a Whig, he knew and entertained most of the prominent men of his day. His *Diary*, kept from 1828 to 1851, was edited in 1889 by Bayard Tuckerman and is one of the most enlightening sources of information for that period.

The nation, especially away from the seaboard, was crude, but virile. Conscious of a growing strength, our orators in the pioneer sections were boastful and impatient under foreign superciliousness. Mrs. Trollope's *The Domestic Manners of the Americans* (1832), leaving an unpleasant impression of incivility, nasal voices, and bony faces, was passionately condemned by our newspapers. A fastidious English lady, she was repelled by the habits of our people, and could not discern that this uncouthness was merely a stage in cultural evolution. Europeans commented on the roughness of our highways and the darkness of our city streets at night. Epidemics were too frequent, and disastrous fires occurred often in the more crowded communities. Conditions in prisons and insane asylums were horrible, and little was being done to ameliorate sickness and poverty. Although Gilbert Stuart in painting and Charles Bulfinch in architecture had produced their best work, the fine arts in the United States were still neglected, and music was virtually nonexistent.

Not all the omens, however, were unfavorable. Scholars like George Bancroft and Edward Everett, fresh from Harvard, had taught Europe that a few Americans were not barbarians. Already a native literature, not strongly indigenous, but unmistakably authentic, was developing. Washington Irving, in his *Sketch-Book* (1820), had emulated Addison in smoothness and urbanity. Bryant, in his slender volumes of 1821 and 1832, was spiritually a distant relative of Wordsworth. James Fenimore Cooper, although his *The Last of the Mohicans* (1826) was not praised by the Boston Brahmins, had established an original school of prose fiction and was being hailed as a worthy successor to Walter Scott. Emerson and Whittier were young men slowly acquiring reputations, and Poe's melodious poetry, although it had met with little but ridicule, could be bought in Philadelphia and New York.

In the national capital, with its twenty thousand inhabitants, a rough self-assertive democracy was having its day, and sordidness and elegance were strangely juxtaposed.[1] At the White House, in shirt sleeves and slippers, sat the President, — the idol of the "Masses," — his corncob pipe clenched aggressively in his teeth. Picturesque frontiersmen, like "Sam" Houston and Colonel "Davy" Crockett, strode along Pennsylvania Avenue in coonskin caps, with pistols at their belts. Horse racing and cock fighting were popular diversions, patronized by the Chief Executive. A challenge was the preferred method of terminating a dispute. "Two members of the House of Representatives tried to fight a duel yesterday;" wrote Webster, "but they could not hit each other. Six rounds of bullets were discharged in *tenues auras*."[2] From the windows of his New York residence, Hone watched Bryant meet William L. Stone in the street and lash him viciously over the head with a cowhide whip. Such incidents were common enough in Washington, where political antagonism ran high. Intoxication, even on the floor of Congress, passed almost unnoticed, and, at Gargantuan banquets, gallons and gallons of whiskey were consumed. "Never in American history," says Claude G. Bowers, "have so many promising careers been ruined by drunkenness as during the third decade." It was an age of primitive entertainment, of laxity in public and private morals, of vulgarity, and of unrestraint.

The society in which Webster habitually moved was not, however, either illiterate or unmannered. He found congenial company in the salons of Mrs. Edward Livingston and Mrs.

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[1] Harriet Martineau, visiting Washington in the winter of 1835, wrote: "The city itself is unlike any other that ever was seen, — straggling out hither and thither, — with a small house or two, a quarter of a mile from any other; so that in making calls 'in the city,' we had to cross ditches and stiles, and walk alternately on grass and pavements, and strike across a field to reach a street."

[2] Webster to Fletcher, June 15, 1836 (National Edition, XVIII, 20). Hone wrote in his *Diary*, December 15, 1833: "The practice of duelling has increased to such a degree in the South and West, and is marked with such savage ferocity and deadly determination, as to form a stigma upon the national character." (Hone, I, 178.)

Benjamin Taylor, where a brilliant group, enlivened and stimulated by the diplomatic corps, was accustomed to assemble. But this was our nobility. A more genuine, if somewhat less polished, America could be observed in the Capitol, where rural Ciceros sat unconcernedly with their boots elevated on their desks, expectorated tobacco juice freely on the rich carpets, and sometimes railed at one another with the scurrility of Thersites.

To complete the contrast, it was also the heyday of reformers of every type. Temperance movements sprang up sporadically and induced well-intentioned people to "sign the pledge." Any cult could secure adherents. Any long-haired "prophet" could draw a crowd. Mormons, Communists, Perfectionists, Feminists, Antimasons, Native Americans — all were heroically resolute in their efforts to make this world better. A mob mania led to such lawless outbreaks as the destruction, in 1834, of the Ursuline Convent in Charlestown, by a band of anti-Catholic rioters. The triumph of Jacksonian Democracy had released a wave of fanaticism which, to a conservative like Webster, seemed likely to inundate all common sense.

Far more important in its ultimate results was the renewal, after a decade of comparative quiet, of the agitation of the slavery question. Webster was unaware of the establishment in Boston, on January 1, 1831, of the *Liberator*, by an obscure young printer, "in a small chamber, friendless and unseen." But the appearance of William Lloyd Garrison,[1] — insistent, uncompromising, and irrepressible, — was actually a significant event in Webster's career. Southern slave-holders, disturbed by Nat Turner's insurrection of 1831 and by the spread of emancipation to the British West Indies, were already on their guard, and Garrison's implacable aggressiveness goaded them to counter-attack. In the 1830's the abolitionists, although they were gaining recruits, were generally regarded as "cranks," even in the North. When Clinton Hall, in New York City, was inadvertently rented for an antislavery meeting, a mischief-making throng gathered, and the trustees rescinded their permission.[1] The mobbing of Garrison in October 1835, at a meeting of the Female Antislavery Society in Boston, made him a martyr, and the burning of Pennsylvania Hall, in 1838, in Philadelphia, was another open manifestation of hostility. But abolitionism could not be ignored, particularly after such idealists as Whittier, Emerson, Edmund Quincy, and Wendell Phillips had joined the cause.

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[1] William Lloyd Garrison (1805–79), born in Newburyport, Massachusetts, received only a meagre formal education. Apprenticed in 1819 to the editor of the Newburyport *Herald*, he mastered the printer's trade and became an expert compositor. After some experience as a journalist in Bennington, Vermont, and Baltimore, he settled in Boston, where he devoted himself primarily to the campaign against slavery. It is difficult to estimate Garrison fairly. The severity of his language and the uncompromising nature of his beliefs have perhaps led critics to neglect his sincerity and idealism. His biography in four large volumes by his children must be constantly checked by the judgment of less partisan writers. A fairer study of Garrison is that by Lindsay Swift, in the *American Crisis Biographies*.

Webster, on purely humanitarian grounds, had always been strongly opposed to the slave trade and to negro servitude. The open traffic in human beings at the slave mart in Alexandria filled him with aversion. He had not tried to evade the issue. In the debate with Hayne, he had said, "I regard slavery as one of the greatest evils, both moral and political." Seven years later, he reiterated this conviction, pointing out that his origin, his associations, his education, and his habits of thought had persuaded him that slavery can have no justification.[2] But having long been accustomed to regard such matters from a nationalistic viewpoint, he saw certain legal and sectional complications which could not be ignored. Accordingly he had frankly declared in the Reply to Hayne that he considered slavery in the South to be a question of "domestic policy" — one "with which the federal government had nothing to do." Writing in reply to a question from John Bolton, in 1833, Webster said, "In my opinion, the domestic slavery of the Southern States is a subject within the exclusive control of the States themselves." [3] He had too much respect for the Constitution and too much reverence for the Union to stir up any dispute which would undermine either. The difference between Garrison and Webster on this point was largely one of proportion. Both hated slavery, and Garrison would eliminate it, no matter what the cost. Webster, however, took a more comprehensive survey of the situation. To him, the abolition of slavery, if it were achieved by violent methods and produced a schism between the states, was not a sufficient compensation for the catastrophe which would inevitably follow.

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[1] Hone, *Diary*, October 3, 1833, I, 79–80.

[2] National Edition, XIV, 244–45.

[3] *Ibid.*, XII, 210.

Such was the background, variegated and confused, against which, during the fourth decade of the century, the gigantic figures of Jackson, Clay, Calhoun, Van Buren, and Webster stood out. Of such a society, vigorous, reckless, and unstable, they were the conspicuous representatives. At last, democracy was squarely on trial. The people were ruling through their chosen dictator, Andrew Jackson.

The second session of the Twenty-third Congress, opening in December 1834, found the Democrats elated at their success over the Bank issue. The elimination of the national debt, at the beginning of the new year, confirmed the President's complacency; and Benton harangued the Senate in a speech in which fulsome adulation of Jackson was blended with braggadocio. The victory on the Bank question did not, however, mean that opposition to the administration was to cease. With a genius for espousing popular causes, Jackson succeeded, during a crisis with France, in putting Webster and the Whigs in what appeared like an unpatriotic position.

Under the terms of a treaty ratified on February 2, 1832, France had agreed to pay to the United States the sum of twenty-five million francs, in six annual installments, as indemnity for losses to our shipping during the Napoleonic struggle. Although the treaty was signed in good faith and we had duly carried out our promise to lower the duties on French wines, our draft on the French treasury for the first installment was refused. No money could be disbursed until the Chamber of Deputies voted an appropriation, and public opinion in France did not like the treaty. Indignant at this disregard of an obligation, Jackson sent the aristocratic and tactful Livingston to Paris,[1] but he could accomplish nothing. Finally, at Livingston's suggestion, the President referred to the matter in his Annual Message of December 1834, and, after reciting the facts, requested authority to seize French property in case the Deputies remained obdurate. Although Jackson's language was, as Bassett says, "needlessly strong," [2] the procedure which he advocated was justified by the principles of international law. When the Message reached France, it cut the national pride very deeply. The French Minister was withdrawn from Washington, and Livingston was notified that his passports were at his disposal. All the inflammable materials for a war were prepared for sudden ignition.

To the Whigs, discomfited after their recent defeat, it seemed as if destiny had offered an opportunity for regaining their prestige. Letting it be known that the President's recommendation was the latter's own act, Clay submitted a resolution declaring it inexpedient to grant the authority which was asked. Webster belonged to those "who desire to say and do nothing to encourage France in her neglect of our rights, and who are not willing, nevertheless, to hazard the peace of the country without absolute necessity." [3] Through the adoption of Clay's resolution, the Senate showed what the *National Intelligencer* called its "pacific temper." [4] The House, however, felt differently. Even John Quincy Adams, who despised Jackson, forgot his partisanship and defended the President; and, as the session drew to a close, the House adopted a motion favoring preparation for war.

A crisis developed as darkness was falling on the late afternoon of March 3, when the House, taking up the Fortification Bill, passed without discussion an amendment appropriating $3,000,000 to be at the President's disposal for an emergency.

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[1] Livingston had succeeded Rives at Paris in 1833, his place in the Department of State having been taken by Louis McLane.

[2] Bassett, *Andrew Jackson*, p. 671.

[3] Webster to Sullivan, February 23, 1835 (National Edition, XVIII, 9).

[4] Bowers, *Jackson Period*, p. 397. Chap. XIV of this volume deals with this affair in much detail.

When it was read to the Senate, Webster, always averse to war, found the measure "entirely irregular and anomalous."[1] The President had not asked for it; no department had recommended it; no reasons were offered for its sudden presentation. It was eight o'clock in the evening, and the Senators were weary and excitable. As Chairman of the Committee on Finance, Webster, without hesitation or consultation with anybody, spoke warmly in opposition to it, and moved that the Senate adhere to the original measure. Buchanan and King pleaded with him, but to no avail. Dramatically he ended, "To the vote, then, sir, and let us see the roll of those who are ready to register their names in favor of this first direct attempt to bestow unlimited political and military power." As the dim light from the oil lamps illuminated his cavernous eyes, his deep tones resounded through the chamber like "the voice of the trumpet along the line of battle." The Senate rejected the proposed grant by a strict party vote of twenty-nine to nineteen.

There was consternation among the administration leaders. The House asked for a conference, but no agreement could be reached. At last a compromise was devised, appropriating $300,000 "for arming the fortifications of the United States" and $500,000 "for the repairs and equipment of ships of war." The President meanwhile was pacing up and down in his room in the Capitol, fuming and fretting, and swearing "by the Eternal!" that he would veto any compromise measure. He was not required to do so. The revised bill was sent to the House at two o'clock in the morning, when, as the quorum had melted away, nothing could be done. Thus Congress adjourned without granting Jackson any assistance, and each branch could blame the other for the final fiasco.

The President, however, had caused the French Government some alarm, and, in late April, the Chamber of Deputies appropriated the necessary funds, to be paid when a satisfactory explanation of the "insult" in Jackson's Message was submitted. Of all the population of the United States, Andrew Jackson was the least likely to apologize for language which he thought justifiable. In his Annual Message for 1835, he recounted the events of the year, disclaiming any intention of affronting France, but added that the French Government had been given all the explanation "which honor and principle permitted." Webster wrote his wife that the President was "*warm* & warlike," and added, "Congress is not at all prepared for war; but nobody knows what might be done if Gen'l Jackson should sound a loud war note." [1] As a matter of fact, Jackson had drafted what was equivalent to a declaration of war, but had been persuaded by Livingston to moderate his tone, and his Special Message of January 15, 1836, was less fiery than had been predicted. He did suggest that, if the money were not forthcoming, we should do well to exclude French goods and vessels from our ports and prepare for hostilities.

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[1] The whole story was related by Webster, not without touches of humor, in his speech "On the Loss of the Fortification Bill in 1835," delivered during the next session of Congress, on January 14, 1836. He spoke in reply to the charge that the Fortification Bill was lost through the obstinacy of the Senate. This speech is printed in National Edition, VII, 205–29.

At this opportune moment, Great Britain came forward as a mediator. In spite of bluster, neither country wanted to fight, and France gladly took advantage of certain phrases in Jackson's Message which could be construed as explanatory. By the middle of May, four installments of the indemnity had been paid. For this bloodless outcome, both parties claimed the credit,[2] but the praise really belonged to Jackson, whose bold assertion of American rights had been justified.[3] He was warranted in demanding that a treaty should not be abrogated, and it was fortunate for our prestige in Europe that he held out against the Whigs. If Webster had been in the White House under similar circumstances, he would probably have acted much as Jackson did.

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[1] National Edition, XVI, 264.

[2] Hone wrote in his *Diary* for March 14, 1835: "Thus has the patriotic majority in the Senate once more interposed to save the country from a vexatious and unnecessary war, without the slightest sacrifice of national honor, although it is quite likely that Jackson will get the credit of it." (Hone, pp. 133–34.)

[3] Bowers, pp. 421–22.

An interesting sequel occurred early in the next session, when a dispute over the responsibility for the rejection of the Fortifications Bill led to an acrimonious debate. On January 12, 1836, Benton, the White House spokesman, attributed the failure to the Senate. Two days later, Webster rose solemnly in defense of the Whigs, regretting that the Senate should have been obliged so frequently to disagree with the Executive and declaring that it was "no holiday business" to fight "for stern and sturdy principle, against personal popularity, against a rushing and overwhelming confidence, that, by wave upon wave and cataract after cataract, seems to be bearing away and destroying whatsoever would withstand it." Gloomily he prophesied that, unless the encroachment of the Executive could be checked, "they are already among the living who will write the history of this government, from its commencement to its close."[1]

Within a week, a rotund elderly gentleman, with a fringe of grayish hair around a head almost totally bald, electrified the House of Representatives. No one was likely to feel that Ex-President Adams was prejudiced in Jackson's favor; nevertheless the latter, on this occasion, had a staunch advocate in the caustic statesman from Quincy. In what has been described as "one of the most bitter, dramatic, and sensational speeches ever heard in the American Congress,"[2] Adams pointed out that the proposed appropriation of $3,000,000 was to be expended specifically for military purposes; that at the time it had seemed a necessary step in the national defense; and that, when the compromise bill appropriating $800,000 had been sent to the House, that body was already disbanded, and it was known that no quorum could be secured. Although frequently called to order for his stinging remarks, Adams kept on undaunted, his high shrill voice sometimes breaking into a falsetto. Proudly he recorded in his *Diary* that he "demolished the speech of Webster, drove him from the field, and whipped him and his party into the rank and file of the nation in the quarrel with the French king."[1] Adams was brave enough to risk party ostracism, and his manly independence was worthy of the best traditions of his family.

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[1] National Edition, VII, 205–29.

[2] Bowers, p. 414.

The short session of 1834–35 saw other skirmishes between the President and his enemies. Disturbed by Jackson's arbitrary removals from office, the Whigs instituted an inquiry into the abuse of the executive patronage; and Clay reported a bill repealing the act of 1820, — which limited to four years the tenure of certain places under the government, — and providing that the President should inform the Senate of his reasons for each removal. During this debate, Webster delivered one of the most forceful of his speeches, deploring the dangers resulting from the manner in which "the power of bestowing office and of taking it away again at pleasure" was being systematically exercised.[2] He and Calhoun supported Clay, and the latter's measure was passed by a good majority. The House, however, declined to concur, and a vast amount of sensible argument was wasted.

During this session also Benton first introduced his resolution providing for the expunging from the Senate *Journal* of the censure passed during the preceding year upon the President. This matter, through the volubility of Jacksonian leaders, had become a national issue, and Benton's proposal enabled the chieftains of the opposing factions to unpack their hearts with words. In view of the Whig preponderance in the Senate, Benton's interminable speeches were useless, but he characteristically served notice that he would persist from session to session until his end was achieved. Webster rejoiced that the records were sacred and that nothing could induce the Senate to alter them. His complacency was to be short-lived.

Jackson's second administration was lively with gossip regarding the succession to the Presidency. Disinclined to accept a third term, — which he could have had by merely whispering his desire, — "Old Hickory" had selected the astute Van Buren as the heir to his policies. The unmagnetic "Red Fox" did not impress the Whigs as a formidable opponent; but he was sagacious in his opportunism, and he had at his disposal the well-oiled Jacksonian machine. Relying for his promotion on the promise and the inflexible will of his master, he declared in his letter of acceptance that he intended "to tread generally in the footsteps of Andrew Jackson." He had an immense advantage in that he was the only recognized candidate of his party.

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[1] Adams, *Memoirs*, December 29, 1836, IX, 339. In November 1837, Adams declared that he had supported Jackson at the "hazard of my own political destruction." Morse, *John Quincy Adams*, pp. 239–40.

[2] Speech of February 16, 1835 (National Edition, VII, 179–99).

The Whigs, on the other hand, were disunified and badly led. Clay had had his chance in 1832, on an issue which he himself had chosen — and had been defeated. Webster felt that he was entitled to a trial in 1836. A rival aspirant — Justice John McLean,[1] of Ohio — was early in the field, having been nominated by the Legislature of his State, and Webster saw the advisability of having his own name placed formally before the country. Unfortunately, Henry Clay would not indicate what course he intended to pursue. Despite their outwardly friendly relations, the two men did not always work together, as their attitude towards the Force Bill and the Compromise Tariff of 1833 had shown; and Webster's reluctance to resort to personal invective against Jackson had displeased Clay. The latter, as Webster was aware, was holding back in the desperate hope that the presidential breeze might blow again in his direction.[2] He behaved like a peevish small boy who, baulked of a prize, has made up his mind that his playmate shall not have it. Naturally domineering, he shed no tears when he perceived among his followers a disposition to leave Webster unrewarded.

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[1] John McLean (1785–1861), the son of a poor farmer, studied law and settled in Cincinnati, where he served two terms in Congress and was made Judge of the Supreme Court of Ohio. Appointed Postmaster-General by President Monroe, he continued in that office during the administration of John Quincy Adams, and was offered a place in Jackson's cabinet. He became Justice of the Supreme Court of the United States in January 1830. There was seldom a campaign from that time on during which he was not "mentioned" for the Presidency. As late as 1856, he was Frémont's chief rival for the Republican nomination.

[2] Webster wrote Mason, February 1, 1835: "Mr. Clay does nothing, and will do nothing, at present. He thinks — or perhaps it is his friends who think — that *something* may yet occur, perhaps a war, which may, in *some* way, cause a general rally round him." (National Edition, XVI, 251.)

As the new year opened in 1835, Webster, who had been in regular correspondence with friends in England, made up his mind that he could wait for Clay no longer, and wrote to Jeremiah Mason urging that the Massachusetts General Court act at once.[1] The Whig newspapers in Boston, especially the *Columbian Centinel*, were cautious,[2] but when the party leaders in the Legislature unanimously recommended Webster for the Presidency, the *Centinel* came out in his behalf. Webster, who was impatiently waiting this endorsement,[3] was optimistic regarding his chances,[4] and was pleased to learn that the Whig legislators had signed a document pledging him their support.

Massachusetts, indeed, was one stronghold where Webster controlled the situation, with able lieutenants to do his bidding. It was tacitly recognized in the Commonwealth that there was a natural political succession by which John Davis, Edward Everett, Rufus Choate, and Caleb Cushing, all loyal Whigs and staunch Webster men, were in line for promotion.[5] When Nathaniel Silsbee declined to be again a candidate for the United States Senate in 1835, there was a movement to elect John Quincy Adams, and the Lower House actually cast many votes for him.[1] Webster, however, wanted John Davis, then Governor, and his influence was decisive. Because of a word from him, Davis was placed in the Senate and Everett in the State House.[2] As for Cushing, who had toiled untiringly in Webster's behalf, he had been elected to Congress in the autumn of 1834, and his feet were already on the lower rungs of the ladder to success. If only Webster could be made President, Massachusetts would be indeed a power in the nation.

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[1] Webster to Mason, January 1, 1835 (National Edition, XVI, 245–46).

[2] The *Centinel*, January 10, 1835, maintained that a premature nomination "would do no good to Mr. Webster." It added, however, on January 21, that, if Clay definitely withdrew, Webster would be the accepted candidate.

[3] Webster wrote Mason, January 22, 1835: "There has been some impatience here with regard to proceedings in Boston, on account of the daily inquiries by friends in other quarters as to what could be expected; but I presume things have gone on as fast as they well could." (National Edition, XVI, 248.) Webster's correspondence with Caleb Cushing on the prospects in Massachusetts is printed in Fuess, *Caleb Cushing*, I, 168 ff.

[4] Webster wrote Mason, January 22, 1835, "If we Whigs had union and energy, we have now before us a prospect no way discouraging." (National Edition, XVI, 249.) On February 1, he added, "If Massachusetts stands steady, and our friends act with prudence, the union of the whole Whig and anti-masonic strength is certain." (*Ibid.*, p. 251.) Webster asked Mason to burn these letters, but the latter evidently did not take the request seriously.

[5] See George Lunt's sonnet beginning: —

> In Massachusetts of our later years,
> Three men have lived pre-eminent in fame,

in which Webster, Everett, and Choate are praised as "lions of their kind."

But the campaign for Webster was not progressing well outside of Massachusetts. The shadow of Antimasonry was once more to fall across his path. Although its fanaticism was slowly ebbing, it was still a menace, and even in Massachusetts it was unescapable.[3] After receiving the nomination of his own state, Webster looked next to Maryland, New York, and Vermont, but, above all, to Pennsylvania. At the close of the Congressional session, he went to Harrisburg, where he was introduced to the members of the Legislature, and where the more rabid Antimasonic agitators did their best to extract from him a statement which would commit him unreservedly to their cause.[4] Up to a certain point, Webster could honestly go, and in the autumn, when the Pennsylvania Antimasonic Convention assembled, he wrote that Masonry was "essentially wrong in the principle of its formation" and that "all secret associations . . . are dangerous to the general cause of civil liberty and good government." [5] But he absolutely refused to promise that, if elected, he would nominate only Antimasons to office.[1] Whether or not this courageous stand helped or injured him it is difficult to say. The convention actually nominated General Harrison, and the Whigs, assembling on the following morning, concurred in this choice.[2] With Pennsylvania lost, Webster had to prepare for the worst.

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[1] The vote in the House on the first ballot was: Lincoln, 106; Adams, 101; Baylies, 81; and Davis, 43. (*Columbian Centinel*, January 26, 1835.)

[2] Everett, endorsed by both Whigs and Antimasons, was elected by a majority of more than 10,000 over the Democratic candidate, Marcus Morton.

[3] Webster wrote Mason, February 1, 1835: "I am still most anxious that all fair means should be used to settle this masonic and antimasonic quarrel in Massachusetts. You have little idea how much it retards operations elsewhere." (National Edition, XVI, 250.)

[4] Writing to Mason, March 19, 1835, on his return from Harrisburg, Webster said: "The antimasonic party, steadily increasing in New York, is breaking out like an Irish rebellion in Pennsylvania. It goes on with a *furore* that subdues all other feeling. These things put party calculations at defiance." (*Ibid.*, p. 254.)

[5] Webster to Harmar Denny and others, November 20, 1835. (*Ibid.*, XVIII, 12–14.)

The truth is that, from the beginning, Webster had little hope of the nomination. Jackson is reported to have said, with uncanny intuition, that Webster would never be President because he was "too far east, knows too much, and is too honest"; and he predicted in 1834 that his opponents would choose a soldier, adding, "They have had orators enough." The taint of the defunct Federalist Party was upon Webster, and was very offensive to some of the most powerful Whigs.[3] Furthermore, Webster was unskilled in those arts and artifices which enabled Henry Clay to be all things to all men. Gracious in his own social circle, he did not suffer fools gladly, and he could not affect the bluff heartiness which might have conciliated those who thought him too "superior." Horace Greeley felt that Webster was "colder, graver, sterner, in his general bearing" than Clay. Crowds gathered everywhere to listen to his sonorous voice, but they did not vote for him at the polls. Magnificent though he was, he was not a popular favorite. It may be that the American people admire, but have a deep-rooted distrust of, orators. His very fluency made them wary. He was a man who talked too much.

The question of Webster's "availability" was also, to the Whigs, a serious one. New England, under any circumstances, was likely to be safely anti-Jackson, — although the outcome showed that only Vermont and Massachusetts cast their vote for the Whig candidate, — and it was thought that no Webster was needed to confirm its party loyalty. Harrison, who had not committed himself on most of the crucial contemporary questions, was felt to be safer, and more likely to gain the West.

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[1] Webster to Irwin, November 30, 1835. (National Edition, XVI, 260–61.)

[2] The Antimasonic Convention was held on December 16, 1835.

[3] William Plumer, writing as early as 1833 of Webster's chances, said: "He is everywhere respected, as a man of the most commanding talents, and of high and honorable feelings — a lawyer, a scholar, and a statesman, who would do credit to any office. But with this general respect for Mr. Webster, and ready tribute to his high qualities, I do not see that there is much disposition in the country to entrust its government to his hands. He is considered as standing at the head of the old Federal Party; and the sins of that party are visited on him. There is no great justice in this; but there are too many men, in all parties, who know how to use this circumstance to his prejudice." (National Edition, XVII, 558.)

Finally there was the continued chilling indifference of Henry Clay, in whose heart there was always jealousy of his great rival.[1] While admitting Webster's supreme ability, Clay regretted that "a general persuasion seems to exist that he has no chance," and pointed out, after the 1835 elections in Rhode Island and Connecticut, that "it is in vain to look even to New England for the support of Mr. Webster." [2] So it was that he who, in eloquence, personality, and intellectual ability, was the superior of any Whig was thrust aside, on various pretexts, to make room for mediocrity.

Webster himself did not give up without a struggle, and did everything possible to counteract the coldness of Clay. In April 1835, Perkins, Marvin, and Company published a two-volume edition of his speeches, which was judiciously distributed in doubtful districts. Caleb Cushing prepared for the newspapers an account of Webster's patriotic conduct in 1814, when a British attack on Portsmouth was expected.[3] Webster appeared, on April 20, at Lexington, to listen to Everett's oration on the sixtieth anniversary of the battle. At the dinner which followed, Emerson was present, and reported that Webster spoke "few and simple words, but from the old immovable basis of simplicity and common natural emotion to which he instinctively and consciously adheres." [4] During a visit to Maine on professional business, he could not avoid a public banquet at Bangor, where, before a great audience, he dwelt on the theme, "There is no usurpation so dangerous as that which comes in the borrowed name of the people." [5] A more important occasion was the presentation to him, on October 12, of a massive silver vase, the gift of citizens of Boston as an evidence of their gratitude for his work as Defender of the Constitution. More than four thousand people packed the Odeon to hear his opinions on current questions, but he had little to say that was constructive.[1] The elimination of Jackson and Jacksonism was his only panacea for the nation's ills.

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[1] Webster felt it necessary to write to Mason, in February, 1835, to explain that reports of a breach between himself and Clay were unfounded.

[2] Clay's *Works*, V, 399. For a fuller discussion of Clay's position, see Bowers, pp. 431–33.

[3] Fuess, *Caleb Cushing*, I, 170, 172–73.

[4] Emerson, *Journals*, III, 471.

[5] National Edition, II, 159 ff. Webster also spoke on October 3, at a dinner tendered to him by residents of the Kennebec Valley. His remarks were only imperfectly

Meanwhile, following the nomination of Van Buren in May, the Whigs had been offered a choice of other candidates. A renegade from the Jackson ranks, Hugh Lawson White,[2] had been nominated by the Tennessee Legislature and was sure to have strong support in certain sections of the West. William Henry Harrison,[3] assured of Henry Clay's backing, was slowly becoming a formidable competitor. In the autumn of 1835, it looked like a battle of Van Buren, with a united Democracy

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reported, but he closed with the sentiment, "*The Constitution of the United States,* — The Proudest Inheritance of the American People."

[1] For the proceedings on this occasion, see National Edition, II, 169 ff The "Webster Vase" is now on exhibition in the Boston Public Library.

[2] Hugh Lawson White (1773–1840), born in South Carolina, had little formal education, but studied law in Lancaster, Pennsylvania, and settled in Knoxville, Tennessee, where he was appointed a Justice of the Supreme Court when he was only twenty-eight. Elected in 1825 as Jackson's successor in the United States Senate, he was for many years the latter's adherent. Thinking himself slighted, he gradually drew away from the Democrats, and, in 1835, joined the opposition. In 1834, he announced himself as a presidential candidate, and it was not known for some months whether he was to be for or against Jackson. The President, however, came out against him, and White allowed himself to be nominated by the Democratic Legislature of his state. He was known as "the Cato of the Senate," and had a stateliness and nobility of character which were impressive. For an excellent characterization, see Bowers, pp. 423–28.

[3] William Henry Harrison (1773–1841), born in Virginia, was educated at Hampton Sidney College in that state, but joined the army in 1791. He resigned his commission as captain in 1798 in order to become Secretary of the Northwest Territory, of which he was later made Governor. With 950 men, he routed the Indian chieftain, Tecumseh, early on the morning of November 7, 1811, and thus came to the front as a military hero. During the War of 1812, he had a creditable record. He served in Congress from 1812 to 1819, and five years later was elected to the United States Senate. He resigned in 1828 to go as Minister to Colombia, and, at the opening of Jackson's administration, retired to his farm at North Bend, near Cincinnati, where he lived very quietly. The Whigs turned to him in 1836 because they were in need of a warrior candidate, and he was the only one available. He was described by Poore as "a tall, thin, careworn old gentleman, with a martial bearing." He was certainly inferior in ability to the other Whig possibilities.

behind him, against a Whig Party divided among Harrison, McLean, White, and Webster.

The endorsement of Harrison in December by the Pennsylvania Whigs deprived Webster of his last chance for success. Although he himself did not despair, rumors drifted back to Massachusetts that he was ready to abandon the struggle. When Theophilus Parsons inquired as to the truth of the prevalent gossip, Caleb Cushing, Webster's spokesman, stated that the reports of the latter's withdrawal were "utterly false," — "nothing but rumors fabricated for political effect," — and expressed his belief "in the propriety of adhering unflinchingly to the nomination of Mr. W."[1] Robert C. Winthrop, while recognizing that the Massachusetts Whigs would have "to fight a lost battle," wrote that it would be wise for them to back Webster if they could be assured that he would not desert them.[2] Reassured by Cushing on this point, they did not abate their efforts, resolved that Webster, whatever might be his fate in the country at large, should receive at least the support of his own Commonwealth.

Delayed by business in New York, Webster did not return to Washington until December 15, 1835. He came alone, Mrs. Webster having preferred to remain in Boston for the winter. In the balloting for standing committees, Webster was reëlected Chairman of the Committee on Finance, his colleague, John Davis, being made Chairman of the Committee on Commerce. It was to be a session in which the slavery question was to be agitated on the floor of Congress for the first time in our history. Quite unexpectedly, petitions from abolitionist organizations precipitated a discussion, in the course of which the South revealed the animosities aroused by circulation of propaganda against slavery; and close after came the Texas question, with all its complications. From that day until the outbreak of the Civil War, the threat of disunion was a menace to the calm of the Capitol. Senators and Representatives bore themselves like the inhabitants of a district constantly threatened by earthquakes, never knowing when the next convulsion would occur.

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[1] For the full text of this letter, see Fuess, *Caleb Cushing*, I, 200–1. It is undated, but was obviously written in late January, 1836.

[2] *Ibid.*, pp. 202–3. This letter is dated "January 25."

Stirred by the aggressive tactics of the abolitionists, Jackson, in his Annual Message, recommended a measure prohibiting the circulation through the mails of literature tending to foment insurrection among slaves. A Select Committee, with Calhoun as Chairman, brought in a bill subjecting to stringent penalties any postmaster who should knowingly receive or put into the mail any document dealing with slavery and addressed to any post office within a state which had forbidden the dissemination of such printed matter. Portions of this report, reiterating the "compact" theory of the Union, were disclaimed by three of Calhoun's associates on the Special Committee when it was brought before the Senate on February 4, 1836. Both Clay and Webster spoke against the measure, the latter objecting to the vagueness of its phrasing and to its violation of the provision of the Constitution forbidding any abridgment of freedom of speech or of the press.[1] The bill was eventually defeated by a vote of 25 to 19 in the Senate, with Clay, Webster, Davis, and Benton among those opposed to it.

The first of many petitions against slavery in the District of Columbia was presented to the Senate on January 7, 1836, by Senator Morris, of Ohio. The matter had already been brought before the House, and Calhoun, duly warned, was at once on his feet in a fiery outburst, demanding that the petition should not be received. His bitterness aroused equal indignation among his opponents, and soon the fight was on. Ultimately Morris, for strategic reasons, withdrew his petitions, and the clash came over a similar supplication presented by Senator James Buchanan from the Caln Quarterly Meeting of Friends in Lancaster, Pennsylvania — a group unexceptional in character and respectful in their attitude. The discussion lingered for two months, at the end of which period Calhoun could muster only ten votes. After receiving the petition, the Senate voted, with even greater emphasis, to reject the prayer of the signers.

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[1] Webster's speech, delivered on June 6, 1836, is printed in the National Edition, XIV, under the title, "Remarks in Opposition to Mr. Calhoun's Incendiary Bill."

So far, Webster had said very little on the subject. On March 16, however, he presented four petitions asking for the extinction of slavery and the abolition of the slave trade in the District of Columbia, and, in a few explanatory words, moved that they be referred to the Committee on the District. Believing that the constitutional power of Congress over the subject was undeniable, he felt that petitions on it, when respectfully presented, should be respectfully considered. The point at issue had already been decided, and Webster desired merely to place himself on record.

On March 18, Webster was granted a leave of absence for ten days, and did not participate in the Senate business again until April 13. On his arrival in Boston, he found his wife convalescing from a severe attack of pleurisy. He made the journey back to the capital with reluctance,[1] leaving Mrs. Webster to complete her recovery in her own home.

Meanwhile the news reached Washington that the Texans, under General Sam Houston, had declared their independence from Mexico, and that the American garrison of the Alamo had been massacred. Theoretically, the United States had been neutral during the series of disputes between Mexico and Texas. Jackson, who, in 1830, had made an unsuccessful effort to purchase Texas for $5,000,000, was now disposed to let the rebellion take its course. The victory of San Jacinto on April 21 and the capture of the Mexican General Santa Anna led to the presentation of petitions from Southern states asking for the recognition of Texas and even for its annexation to the United States. Webster, who seems to have realized that we were about to adopt a policy which would lead to the extension of our slave-holding territory and possibly to war, pointed out on May 9 that we were still on friendly terms with Mexico and had treaty obligations to maintain. Later, however, alarmed by rumors that European governments were trying to obtain a cession of Texas from Mexico, Webster declared that, if it could be shown that the Texans had established a permanent republic, the United States was bound to recognize it.[1] Clay's resolution favoring recognition passed both the House and Senate, but nothing more was done on the matter during Jackson's administration.

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[1] Webster wrote John Davis, April 7, 1836: "I have had more than half a mind not to return at all. I see no good to be done, & there is little, either in or out of Congress, to encourage efforts." (National Edition, XVI, 274.)

It was obvious to thoughtful observers that the slavery question had come to stay. Garrison and his radical followers, although not then representative of Northern opinion, were getting noisier and more intemperate in their agitation; and Calhoun and his pro-slavery friends acted as if the entire North were inimical towards the South and its "domestic institutions." Between the two groups of fanatical extremists, Webster tried to move calmly, unaffected by the prevailing hysteria, and attempted to mollify the hatreds around him. For the moment, wise counsels prevailed, but the menace was there during the remainder of his life.

The receipts from the tariff of 1833 had been so large and the expense of government so small that the administration had been accumulating a surplus — an unusual situation which was even more disturbing than a deficit would have been. As Chairman of the Senate Committee on Finance, Webster was obliged to recommend some procedure to meet the embarrassing contingency. On March 17, he declared that the accumulation of revenue must be prevented; and, when a bill providing that the surplus funds of the government above five million dollars should be deposited with the states, in proportion to their population, was passed in the House, Webster steered its way through the Senate. In a speech on May 31, he said that its adoption would "remove that severe and almost unparalleled pressure for money" which was "breaking down the industry, the enterprise, and even the courage of the commercial community."[1] Largely through his support, the act passed the Senate and was approved by the President.

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[1] Webster wrote Everett, May 7, 1836: "We are in a peck of troubles here, and I hardly see our way through. My greatest fear at present, is of a war about Texas. . . . This whole subject appears to me to be likely to bring into our politics new causes of embarrassment, and new tendencies to dismemberment." (National Edition, XVIII, 19.)

Authorities on finance have criticized this action of Congress, but it is difficult to suggest what else could have been done. Webster himself was sincere in his advocacy of the proposal, and was prepared to recommend that the tariff be at once reduced, "even at the hazard of injury to some branches of the manufacturing industry" — a remarkable concession for him. This would be a lesser evil than allowing the United States to lay and collect taxes "for the purpose of distributing them, when collected, among the States of the Union." He was willing to make an experiment and judge it by the results.[2]

On the distribution of the surplus the Senate reached something like unanimity, but there were few other topics which did not precipitate violent battles between the champions of the respective parties — Clay and Webster leading one side, and Benton, Wright, and Buchanan the other. Having already refused to ratify the nomination of Roger B. Taney as Secretary of the Treasury, and later as Justice of the Supreme Court, the Senate now wrangled over his appointment in 1836 as Chief Justice to succeed John Marshall.[3] Webster joined with Clay in condemning the nomination as unfit, but the Jacksonians were slowly gaining the upper hand in the Senate, and, after three months' bickering, Taney was approved.[4] Webster himself had been frequently mentioned for the place in the newspapers, both North and South, but Jackson was in no mood to reward one of his political foes. The appointment of Taney threw Webster into deep gloom, and he wrote to his wife: "Judge Story arrived last Evening, in good health, but bad spirits. He thinks the Supreme Court is *gone*, & I think so, too; and almost everything is gone, or seems rapidly going." [1]

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[1] This speech is printed in National Edition, VII, 252 ff.

[2] See Carey, *Daniel Webster As an Economist*, pp. 185–88. Carey concludes, "Webster, himself, it appears, was not averse to social experimentation, despite his caustic criticisms of Jackson's financial 'experiments.'"

[3] Marshall died on July 6, 1835. Roger Brooke Taney (1777–1864), a Roman Catholic from Maryland, had won distinction as a lawyer in Frederick and Baltimore. Originally a Federalist, he supported Jackson in 1828, and was named by him as Attorney-General in 1831. In 1833, he was appointed Secretary of the Treasury, in which office he issued the order for the removal of the deposits. He was a highly intellectual man, of lofty ideals and purity of life, who had had a brilliant legal career.

[4] Taney was nominated by Jackson on December 28, 1835. He was confirmed on March 15, 1836, by a vote of 29 to 15. Charles Warren rightly says, "In the calm light of history, it is now seen that the attacks upon Taney on political grounds had little reasonable basis." (*Supreme Court*, II, 286.)

Senator Benton, as if to justify his sobriquet of "Old Bullion," introduced a measure providing that nothing but gold and silver should be received in payment for the public lands, and Webster argued so forcibly against it as a "visionary project" that almost no votes were cast in its favor. Once more, also, the tireless Missouri statesman brought up his expunging resolution, supporting it in one of his long-winded orations, and once more the common sense of the Senate defeated it. And so the session dragged on until Independence Day, when the two houses adjourned, with little of real importance accomplished.

It had been a dull and rather depressing winter for Webster. For some reason, he seldom went out to an evening party, and he attended very few dinners.[2] In late January, he gave a dinner to the Massachusetts delegation in Congress — which Adams, just then engaged in his quarrel with Webster over the Fortification Bill, did not attend.[3] In February, he contracted a severe cold, of which he did not rid himself for several weeks. Mrs. Webster came to Washington in early June and remained there, in indifferent health, until they started north in July. Together they spent the following summer in Marshfield, with Webster's children around them.

While the members of Congress were busy with intrigues, the campaign of 1836 was drawing to a close, with the Whigs in a pessimistic mood. In March, Webster sent a letter to his friend, Kinsman, to be read before the Whig members of the

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[1] National Edition, XVI, 264.

[2] Webster wrote to his wife, December 23, 1835: "I have not been out — have invited no company — & occupy myself with common Congress matters, & with some preparation for the Court — though in the Court, I have not a great deal to do this year, & wish I had less." (*Ibid.*, pp. 262–63.)

[3] With regard to this affair, Webster wrote his wife: "To-day, the Mass. Delegation dine with me, *with some exceptions*. It is my only effort to raise a dinner of any magnitude, & I doubt how we shall make out." (*Ibid.*, p. 266.)

Massachusetts Legislature, telling them candidly that, if they thought it best, he should be glad formally to withdraw as a candidate for the Presidency.[1] Later in the spring, he wrote to J. Watson Webb, "I should have withdrawn from the canvass altogether, but for the state of affairs in Massachusetts, & the opinions of friends there." [2] There seems to have been in his mind a vague hope that, with himself, White, Harrison, and McLean all in the field, the choice might be thrown into the House of Representatives, as in 1824; but the Democrats were too well organized, and Hone was compelled to confess that General Jackson's star was shining "brighter than ever." In September, William Plumer, noting that Webster was "depressed and gloomy in his feelings," made this significant entry in his Diary: "I found that Webster felt sore at his own ill success in the canvass; and imputed some part of his apparent unpopularity to Clay, whose ambition still aspires to the Presidency, which no defeat can convince him that he will never reach." [3]

Imperturbable and serene, the "Red Fox" watched the campaign without misgivings. Working for him were two potent forces — the popularity of "Old Hickory" and the factional dissensions of the Whigs. Pennsylvania and Ohio, voting on the same day early in November, went one for Van Buren and the other for Harrison. Later results, however, were more decisive, and, when the strategists took stock, they found that Van Buren had 170 electoral votes, a clear majority of 46 over Harrison, White, Webster, and Mangum (on whom South Carolina wasted her vote) combined. The Jacksonians had lost strength in several quarters, but Van Buren had earned the title of the "Little Magician."

In the Massachusetts election, Webster received 41,287 against Van Buren's 33,542. When he learned the result,

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[1] National Edition, XVI, 272. Hone, I, 206.

[2] National Edition, XVI, 277.

[3] *Ibid.*, XVII, 559. Plumer added: "He has acquired all the fame which mere speech-making can confer on him, but he has no substantial power adequate to his desires or the acknowledged force of his mind. He has long served under men whom he does not like and whom he considers his inferiors in mental power."

Webster, now certain that he would have the support of no other state, wrote to Silsbee, who headed the list of electors, urging them to cast the vote of the Commonwealth "in the manner they think most likely to be useful in supporting the constitution and the laws of the country." [1] If there had been any chance of electing Harrison, Webster would undoubtedly have insisted that the ballots of Massachusetts be given to the Ohio candidate. After the election, the disappointed Hone wrote, "The very thought (wild and hopeless as it is) of having Daniel Webster President of the United States should make the heart of any American leap in his bosom and cause him to dream of the days of George Washington." [2]

Flushed with victory and elated at the prospect of a majority in the Senate, the Jacksonians met in Congress on December 5, 1836, for the final session of the administration. The President himself, although weakened by illness, was still undaunted in spirit, and, in his last Annual Message, blew a clarion blast in defiance of his enemies. It was the opening note of a winter long remembered for its bitterness and for the personal encounters which it produced. During the preceding summer, one week after Congress had adjourned, the President, influenced by Benton, instructed the Secretary of the Treasury to issue an order — known in history as the Specie Circular — directing the receivers of public money to accept, after August 15, nothing but gold and silver in payment for the public lands. It was a measure modeled on a bill which had previously been brought up in the Senate and had mustered no support, even from administration Senators. Thwarted for the moment, Jackson and Benton, deliberately waiting until Congress was out of the way, had then accomplished their purpose by another method. Some excellent authorities, including Roosevelt in his biography of Benton, have maintained that the latter was right in thinking that a return to specie payments for lands was the only remedy for stopping the wild speculation then going on; and it would probably have been a wise step if it had been taken some years earlier. But, coming at a time when banking operations were much extended and when some banks were ready to suspend payment, it caused irreparable damage.[1] By the date when Congress met for the short session, its effect, following a period of financial expansion, had been shown to be disastrous, and intelligent financial specialists were everywhere urging its revocation.

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[1] National Edition, XVIII, 22.

[2] Hone, I, 237.

It had been galling to Webster to see this drastic treasury order appear so soon after it had been overwhelmingly repudiated in the Senate. Although Jackson obstinately declared that it had "produced many salutary consequences," a resolution was introduced in the Senate virtually annulling the Specie Circular. Webster, on December 21, gave his opinion that the edict was both illegal and inexpedient, pointing out that it had brought about an unnecessarily violent dislocation of the normal processes of capital by drawing gold and silver from commercial centres to the wilderness of the West. After a prolonged debate and some amendment, the bill passed the Senate by a vote of 41 to 5, and, having also been approved by the House, was sent up to Jackson, who simply gave it a pocket veto. As it was, the Specie Circular was not repealed until May 21, 1838, by a joint Congressional resolution, when Andrew Jackson was back at The Hermitage.

On the morning after Christmas, "Old Bullion" Benton proudly introduced once more his bill for expunging from the Senate record the censure of President Jackson. When, on January 12, 1837, the measure was made the order of the day, Benton, his eyes flashing with anticipated triumph, burst into a eulogy of his hero and arrogantly demanded "the execution of the edict of the people." Man after man rose to denounce or commend. Clay and Crittenden and Calhoun made their solemn protests against the desecration of the *Journal*. Finally the debate was postponed from Saturday until Monday, at which time, it was announced, the deed would be perpetrated.

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[1] Carey, pp. 188–90. Regarding the Specie Circular, Carey says: "The measure was a signal failure. . . . The internal exchanges were deranged and a general suspension seemed imminent."

The stage was set for melodrama. In the galleries were packed a throng of curious spectators, like first-nighters at the theatre. Benton had thoughtfully supplied his committee room with refreshments of cold ham and turkey, coffee, and alcoholic stimulants, of which the Senators partook freely. Clay, garbed in deep black, spoke in impressive and mournful tones, assailing the Andrew Jackson who had "swept over the Government during the last eight years like a tropical tornado." Even Benton was obliged to admit that his enemy was "grand and affecting." Other orators followed with noisy speeches. Repeated visits to the source of supplies made some of the Senators hilarious, and ladies, in evening dress, took their seats on the floor. Finally, as the clock struck eleven and no other man seemed to wish to speak, there was a pause. Then Daniel Webster, for whom the audience had been waiting expectantly, stood up to play his part in the tragi-comedy.[1]

It was another of those momentous occasions which he loved and on which he never disappointed his admirers. As if charged with profound emotion, his deep voice became more sepulchral, and his dark complexion seemed to glow under the dim light from the chandeliers. With ominous restraint, he read a carefully drawn protest, signed by his colleague, John Davis, and himself, in which he described the proposed action as "the ruthless violation of a sacred instrument." He refrained from any denunciation of the President, but his words were more scathing than any invective. As he sat down, there was a short silence. Then the cry of "Question" was raised. The resolution was passed by a majority of five.

The scene which followed has often been described by seekers for the sensational in history. Ostentatiously gloating over his adversaries, Benton now insisted that the order of the Senate be immediately executed. As the Clerk came forward with the *Journal*, the opponents of the desecration walked out of the Senate Chamber, many of them in contentious mood.

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[1] Sargent, *Public Men and Events*, I, 336 ff. Poore, *Perley's Reminiscences*, I, 140 ff. The story is told effectively, with quotations from many of the speeches, in Bowers, p. 461 ff.

The Clerk, Asbury Dickens, opening the book, drew broad black lines around the original vote of censure and wrote in a sweeping hand across the face, "Expunged by Order of the Senate this Fourteenth Day of January in the Year of Our Lord, 1837."[1] As he finished his work, hisses, long and continued, broke from the galleries. At once Benton was on his feet demanding that Senator King, of Alabama, who occupied the chair, have the "Bank ruffians" brought to the bar of the Senate. "Here is one above me that may easily be identified, — the Bank ruffian!" cried Benton. The offender — one William Lloyd, of Ohio — was arrested by the Sergeant-at-Arms, but soon discharged. Thus, in a turmoil of recriminations, boastfulness, and inebriety, did Andrew Jackson, despite all his foes could do, achieve a final vindication.

Daniel Webster was not invited to the dinner which Jackson gave in the White House for those Senators who had voted for the expunging resolution. After greeting his guests, the old man placed Benton at the head of the table, where he shone resplendent. Nor was Webster among the thousands who stormed the White House on Washington's Birthday; to shake hands with the enfeebled Chief Executive and carry off a piece of the mammoth cheese sent to him by his admirers. But Webster was still in Washington when the President, keeping up only by an effort of his iron will, rode side by side with Van Buren, down Pennsylvania Avenue to the Capitol, in a phaëton built of wood from the frigate *Constitution*. It was "Old Hickory," not the "Little Magician," that the crowd wanted to see. As Webster, in the balmy sunshine of that March day, watched the procession and listened to the cheers, many thoughts must have passed through his mind. Perhaps if he and his friends had not opposed Van Buren's nomination to the Court of St. James's, the "Red Fox" would not have been Jackson's successor.

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[1] See the description given by Wise, *Seven Decades of the Union*, p. 143 ff. Referring to the book, Wise said: "It seemed like a living victim on the altar of sacrifice, and the scratch of the pen alone was heard in the awful silence which prevailed when the gall of party bitterness drew its lines in the blackness of darkness around the freedom and independence of the Senate."

Philip Hone was glad to see the end of Jackson's administration, which he described as "the most disastrous in the annals of the country."[1] In a disgruntled editorial in the *National Intelligencer*, Webster declared, speaking of the session just closed, that he had never known a Congress "so barren of valuable results" and that the administration had failed "to fulfill the purposes which it undertook to accomplish."[2] Nevertheless the victory rested with Andrew Jackson. In open defiance of the most brilliant statesmen of that generation, — Calhoun, Clay, and Webster, — the stubborn Chief Executive had gone his way, indifferent to abuse, hardened to invective. One after one, his pet measures had been put through. He had even named his own successor, a man after his own heart, who would faithfully continue his policies. And he had escaped in time to avoid the deluge which his weird financial theories had released upon the country. Never was a President more fortunate in his hour of retirement. Weak though he was in body, he could leave Washington with satisfaction in his soul. His head was "bloody, but unbowed."

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[1] Hone, I, 245.

[2] This article, printed in the *National Intelligencer* for March 6, 1837, is published in the National Edition, XV, 114–18.

XVIII

THE STATESMAN GOES ON HIS TRAVELS

The boundless prairies learned his name,
His words the mountain echoes knew.
The Northern breezes swept his fame
From icy lake to warm bayou.
— HOLMES, "Birthday of Daniel Webster"

You are for equal laws, for the equal rights of all men, for constitutional and just restraints on power, for the substance and not the shadowy image only of popular institutions, for a government which has liberty for its spirit and soul, as well as in its forms; and so am I.
— WEBSTER, "Speech at Niblo's Garden," March 15, 1837

WHEN the English traveler, Harriet Martineau, visited the United States Senate in 1835, she was impressed most of all by "the transcendent Webster, with his square forehead and his cavernous eyes"; and indeed he did seem, as Emerson said, "a natural Emperor of men." He had just passed his fifty-fifth birthday. As he approached middle life, he had grown much heavier and, although only of average height, now weighed not far from two hundred pounds. Broad across the chest and erect in bearing, he walked with a firm tread and did not seem obese. Although not always well, he looked very hale and muscular, and conducted himself with dignity. Conspicuous features were his fine white teeth; his hair, still raven black; his massive neck, "springing from his shoulders like the solid oak"; and his glorious eyes, which lighted up his sombre face.

He was, as his friends noticed, getting a little pompous in his manner and ponderous of speech, and he was not unconscious of his position as Senator and possible President. There were moments when he was petulant, and even irritable. Perhaps he was somewhat spoiled by good living and constant adulation.[1] Justin S. Morrill remembered an all-night session in the Senate, during which a colleague singled Webster out for praise. Tired and sleepy, Webster rebelled at hearing himself described as a statesman, an orator, a philosopher, and a poet, and finally, half raising his head from its resting place on the desk, interjected in a gruff voice, "Enough! Enough!"[2] Whenever there was to be a great occasion, from the opening of a new hotel to the dedication of a monument, the promoters tried to get Daniel Webster to be present. If he was there, the ceremonies could not fail. After all, was he not the most striking figure in America? In describing his personality, his contemporaries, as Carl Schurz once said, borrowed their similes "from kings, cathedrals, and mountain peaks." Emerson wrote of him in 1843, "Nature has built him and holds him as a sample of the heroic mould to this puny generation." Garrison, overcome by admiration, said, "His body is compact and of Atlantean massiveness, without being gross; his head is of magnificent proportions, the perfection of vast capaciousness; his glance is a mingling of the sunshine and the lightning of heaven; his features are full of intellectual greatness." Such was Daniel Webster in his prime.

Since December 1823 he had been continuously a member of Congress. He had been highly honored by his fellows and had listened gladly to their praises. Nevertheless he was, in 1837, in a despondent mood. He had watched gloomily the expunging of the censure of Andrew Jackson and the triumph of all he had fought against in government. He was weary of being always in opposition, of being outvoted on policies which to him were of paramount importance. In the new administration soon to open, the Democrats would have decisive majorities in both branches of Congress. How could he put through any constructive legislation?

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[1] Miss Martineau, who observed him carefully both in the Senate and in the Supreme Court, noted that he sat for long periods writing letters or dreaming, and she was interested in seeing a man so "dreamy and nonchalant" roused into strong excitement. "Webster is a lover of ease and pleasure," she wrote, "and has an air of the most unaffected indolence and careless self-sufficiency." This manner, however, was the result of a desire to conceal "the extent of his toils." (*Retrospect of Western Travel*, I, 277.)

[2] Parker, *Justin Smith Morrill*, p. 55.

Furthermore he was heavily in debt. While his professional income had been reduced by the demands of his public life, he had incurred large expenses through the development of his farms, and he had made extensive purchases of Western lands. In paying off some obligations contracted by his son, Edward, Webster wrote, "I owe a good deal of money, and am at present receiving but a small income from my profession."[1] He was hoping for an opportunity to travel, not only in this country, but in Europe, which he had never seen. Finally he had a subconscious feeling that, if only he could escape for a year or two from the turmoil of the Senate, he might perhaps have a better chance of succeeding Van Buren in the White House — the place where all his visions ended.

As early as 1835, Webster had confided to Jeremiah Mason his desire to withdraw from the Senate at the earliest opportunity.[2] The struggle with Jackson, however, kept him occupied for many months, and it was not until late January, 1837, that he announced to H. W. Kinsman his intention of resigning his seat at the close of the session, "on the ground of a strong wish for some respite, some leisure, after a continued service of fourteen years." He sent letters of the same tenor to his intimate friends, Edward Everett and Robert C. Winthrop, intimating that he might, at some later date, be glad to resume the senatorship.[3] To Mr. Paige, from whom he had few secrets, he wrote saying, "I want time to go West and South, and to arrange my affairs, which I think I can do, in such a way as to enable me, together with the sale of my house, to get along with less severe labor in the law."

If Webster wished to ascertain to what extent he had the confidence of his constituents, he soon had an answer. Letters reached him begging him to reconsider his decision. His friends, moved by a common impulse, implored him not to abandon his post at a crisis when his voice was sorely needed. He was told by business men that he was their bulwark against radical legislation. The Whig members of the General Court passed resolutions which he could not disregard, and finally he agreed that he would not "create the necessity for a new choice at the present session of the legislature."

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[1] National Edition, XVIII, 40.

[2] Webster to Mason, February 6, 1835 (*Ibid.*, XVI, 252–53).

[3] National Edition, XVIII, 24–26. See also Fletcher Webster to his father, February 24 and April 5, 1837 (Van Tyne, *Letters of Daniel Webster*, pp. 209–10).

When the news that he proposed to resign reached New York, a group of his supporters invited him to give them an opportunity of showing their approval of the services which he had rendered his country. Elaborate preparations were made, and, on March 15, a committee met Webster on his way north from Washington, at Perth Amboy, and accompanied him to New York, where a parade escorted him to his lodgings at the American Hotel. There he was obliged to respond briefly to the cheering of an immense throng. In the evening, in Niblo's Saloon,[1] he made a more formal speech, in which he outlined with the utmost candor and without any attempt at eloquence the political principles which he then held. Doubtless he had in mind that what he said might be regarded not only as his own bid for the Presidency in 1840, but also as a platform for the Whig Party. For this reason, the Niblo's Garden speech was widely quoted and is a document of much significance.

Disclaiming any personal animosity towards Jackson, whom he described as a man "of strong and decided character," Webster recited his creed. He was in favor of internal improvements; he felt that the public lands belonged, not to individual states, but to the nation, and should be sold at a low price so that they might be rapidly settled; he believed in a protective tariff; he was opposed to the annexation of Texas to the United States; he thought slavery to be "a great moral, social, and political evil," but added that, because it existed in the states, it was beyond the jurisdiction of Congress; he was sure that the power of the Executive had been stretched too far and ought to be brought back "within its ancient constitutional limits"; he regarded the unstable financial situation as due to Jackson's reckless policies; and he urged that the Specie Circular be repealed. In short, Webster boldly expressed himself on every issue in which his audience had any interest.

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[1] Niblo's Garden and theatre, on Broadway near Prince Street, was opened in 1828 in the summer garden of William Niblo. It became a popular gathering place, but was burned down in 1848. Webster's reception was described in detail by Philip Hone, in the entry in his *Diary* for March 15, 1837 (Hone, I, 246 ff.). Webster dined with Hone on March 18, with a party of distinguished New Yorkers, and appeared "talkative, cheerful, full of anecdote."

Warned by information from his banker friends, Webster had for some months been aware that a widespread panic was imminent. The extinction of the national debt in 1835 had been followed by wildly extravagant speculation, especially in the public lands. Under instructions from the government, credit had been much extended by the deposit banks. Prices everywhere rose, and men gambled feverishly with borrowed money. The distribution of the surplus among the states helped to precipitate a crisis, and the Specie Circular, by interfering with the normal flow of currency, was a disturbing factor. Long before the storm broke, keen-eyed men had seen the clouds. The disaster was postponed until after Van Buren's inauguration, but Webster, in his Niblo's Garden speech, predicted "extreme difficulties in exchange," as well as "inconveniences in remittance," and "a sudden fall in prices." All these, and calamities far worse, descended in the late spring of 1837.

The causes of the panic of 1837, which was world-wide and not exclusively American, have never been satisfactorily explained. A failure in the wheat and cotton crops diminished the revenue of Southern planters and raised the price of flour. Simultaneously large loans made by British banks in the United States were unexpectedly called. Imports fell off; receipts from the public lands dwindled; and, long before the date when the surplus was to have been fully distributed, the Treasury was empty. Then business houses became insolvent. The hysteria of credulous optimism was followed by the madness of despair. Bank after bank closed its doors, and finally, on May 10, the New York banks suspended specie payment, followed by those in other cities. There was no great government agency, like the Federal Reserve Banks of to-day, to control the situation, and, although every group of idlers had a remedy, nobody seemed to know what to do. Throughout the summer unemployment was general, and business was depressed. Finally Van Buren called a Special Session of Congress, to meet on September 4, 1837.

Any pleasure which Webster may have felt at the discomfiture of the Democrats was darkened by his own monetary losses, for he had invested extensively in Western lands and some of his holdings which had looked like bonanzas were now worth much less than what he had paid for them. When the panic broke, he was on a second trip to the West, which was to take him beyond the Mississippi. Borrowing $3000 from Caleb Cushing,[1] he set out in early May, reaching Pittsburgh on the eleventh. "Everybody is going west this year," he wrote to Cushing, in a letter inviting the latter to join him on the trip. On the day when he arrived in Wheeling, Virginia, after a voyage down the Ohio, the news arrived of the suspension of specie payments in New York, and this provided him with a text for his address at the public dinner in that city. In a lucid and convincing analysis of Jackson's financial policy, he placed all the blame on the Democrats. "I told you so" was the burden of his speech.[2]

Wherever he went, Webster was greeted with spontaneous enthusiasm. Even he had not realized to what extent he had become a national institution. The Reply to Hayne and the Answer to Calhoun had given him wide celebrity. Engravings had familiarized people with his noble head and crag-like jaw. He had become a symbol of our solidarity and perpetuity as a country, a hero whom everybody wanted to see and hear.

As he advanced beyond the Alleghenies, he was welcomed like a royal personage. He made dozens of addresses, no two of them alike, sometimes in crowded auditoriums and sometimes from a platform under the open sky. His only chance for rest was between cities, for, once at the mercy of a reception committee, he was dined and fêted continuously. Merely as a feat of physical endurance, the tour was remarkable.

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[1] Fuess, *Caleb Cushing*, I, 230–35. Cushing was a widower, with a considerable property, and Webster frequently asked him for loans. As a companion, Webster took with him, — besides his wife and daughter, Julia, — his godson, William Pitt Fessenden, who, after graduating from Bowdoin College in 1823, had become a lawyer in Portland, Maine. Fessenden wrote many letters during the trip, and interesting excerpts from them are printed in Francis Fessenden's *Life and Public Services of William Pitt Fessenden*, pp. 10–16.

[2] The entire speech is printed in National Edition, II, 233–43.

From Wheeling, he proceeded in a gayly decorated boat down the Ohio to Maysville, Kentucky, where he was greeted by most of the population of the surrounding country. He then drove overland to Lexington, a centre of industry and culture, where he was met by Henry Clay and attended an immense banquet. From this city Fessenden wrote, "Mr. Webster meets with so warm a reception all along the shore that what with guns, dinners, speeches, and the like, one is continually excited." Fessenden felt, however, that Webster "would never gain popularity by personal intercourse — to strangers he appeared repellent. So far as gaining friends was concerned, Mr. Webster might well, if not better, have stayed home and left his fame and public service to speak for him." Another long ride brought him to Louisville, where he was treated to a barbecue, at which oxen were roasted whole and enormous quantities of Bourbon whiskey were consumed. His hosts took him to horse races and regaled him with "hailstorms" and "snowstorms," — peculiarly seductive and devastating kinds of brandy juleps. "The way they drink these things in Kentucky," wrote Fessenden, "is a caution to sinners." Thence turning northeast up the Ohio, he paused for a few hours at North Bend, Indiana, to pay his respects to General Harrison, and reached Madison, the home of Governor Hendricks, on June 1.[1]

Hastening on to Cincinnati, where he met Salmon P. Chase, he was presented by General Harrison to a popular gathering, as a demonstration that the Whigs were no longer divided. Thence he rode across Ohio and Indiana by private carriage to St. Louis,[1] where, to complete the reconciliation of the diverse Whig elements, Henry Clay sat by his side on the stage. Webster's speech on this occasion had an informality and an effervescent humor which fitted the conviviality of the dinner; and with his never-failing tact, he declared, amid cheers, that he owed "the self-same responsibility to Missouri as to Massachusetts."

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[1] His reception at Madison was typical of the greetings which he was accorded. As he drew near the quay in the *Benjamin Franklin*, a national salute of artillery was discharged. Seated in an open barouche with Governor Hendricks, he was driven at the head of a long procession to an arbor erected in the central square, and decorated with shrubbery, evergreens, and wreaths of flowers, as well as banners and flags, including a pennant bearing the words, "Liberty and Union, Now and Forever, One and Inseparable." There he ascended the stand, where he was "appropriately and eloquently addressed" by J. G. Marshall, Esquire, and responded in a speech an hour long.

At St. Louis, Webster spent some days with Fletcher, and then went up the Mississippi to Alton. Turning east at that point, he stopped at Springfield, Illinois, a town of fourteen hundred people which, thanks to Abraham Lincoln's efforts in the General Assembly, had just been chosen as the state capital. A mounted military company rode out many miles to meet Webster and escort him to a grove on the outskirts of the settlement. There, after an elaborate barbecue, he addressed an audience "for an hour and a half . . . in a cool, dispassionate and able manner." Among his hosts was Lincoln, then the leader of the Whigs in the Illinois House of Representatives and one of Webster's whole-souled admirers. It was the first meeting of these two men, so strangely different in external appearance, but so much alike in their mental processes and their attitude towards the Union.[2]

From Springfield, Webster moved on to Chicago, lingering *en route* for a few days at his newly acquired farm near La Salle. Ten miles from Chicago, then a village of four thousand people, he was greeted by a troop of cavalry, and created a sensation by entering the city in an open barouche drawn by four cream-colored horses, the property of his friend, Colonel Henry L. Kinney. He embarked on July 1 on a lake steamboat for Michigan City, and from there made a leisurely voyage to Toledo, Detroit, and Buffalo, where, on July 16, he was present at a magnificent regatta on Lake Erie. On the twentieth, at Rochester, in Court-House Square, he delivered the last of this series of orations. Reading this speech,[1] we marvel at the gift which could enable him to talk so entertainingly on the topics which he had been discussing for two months. He closed with characteristic optimism: —

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[1] For interesting details see "Daniel Webster's Visit to Missouri," by W. A. Wood, in the *Magazine of American History*, 19, 513–16. Fessenden wrote, "Mrs. Webster and daughter are sick and tired with glory; their fatigue must be excessive, and, as to the show, Mrs. Webster, though proud of her husband, has little taste for it, and poor Julia none at all; if Daniel was but half as winning as either his wife or daughter, I would give more for his chances."

[2] Lincoln had formed a law partnership with Stuart on April 12, 1837. As one of the leading Whig politicians in the state, he must have had much to say to Webster, but no record of their conversation has been preserved. See Beveridge, *Abraham Lincoln*, I, 210.

> Gentlemen, while I say that no immediate relief is to be expected, I am no preacher of panics. I desire to inspire no distrust or despondency. The country cannot be easily ruined. It is young, great, strong, and full of activity. But my faith is in the people.

In late July, Webster was once more in New York, where he stopped for a few days before going back to Massachusetts. He was able to spend August in peace at Marshfield, but in early September he was in Washington for Van Buren's special session.

For the next three years, Webster's political efforts can be best described by saying that he was in constant opposition to the government. It was not the most creditable period of his career, for he was led by partisanship into resisting financial measures which were for the good of business interests. As constructive policy, he had nothing to offer but a proposal for a national bank. The strategy of Webster and his fellow Whigs was aimed at causing the Van Buren administration the maximum of embarrassment and turning it out of office in 1841. That they succeeded in their aim does not altogether justify their statesmanship. If the Whig Party had conceived a positive programme, it might have left a better record in our history. Its energies were largely devoted to destruction, and it had little to propose in compensation except remedies which the people did not relish.

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[1] It was printed in the *Boston Daily Advertiser*, August 5, 1837.

In what Shepard has termed "one of the greatest of American state papers," Van Buren analyzed the situation, faced its problems with courage, and made suggestions for alleviating the prevailing distress. To the reëstablishment of a national bank he was unalterably opposed, nor was he satisfied with the practice of depositing government money with the state banks. As a feasible programme, he advocated withholding the fourth installment of the surplus, issuing ten million dollars in Treasury notes for the emergency, passing a uniform bankruptcy law, and promoting "the divorce of bank and state" by authorizing certain public officers to collect, retain, and disburse the government funds. With a wisdom which his generation did not appreciate but which a modern business man can understand, Van Buren said, "The less government interferes with private pursuits, the better for the general prosperity."

Clay and Webster took the lead in maintaining that the President's plan did not offer adequate relief. Bills putting into effect Van Buren's suggestions were introduced by the Senate Committee on Finance, of which Webster was now a minority member. There being no funds in the Treasury to meet the final installment of the "surplus," the Democrats sensibly proposed its indefinite postponement. Webster argued rather feebly that it should not be withheld, maintaining that such action would cause the states much inconvenience and that provision could easily be made for paying it. His reasoning was rejected even by his Whig supporters, and the postponement bill became a law.

The Treasury Note Bill, authorizing the issue of ten million dollars in interest-bearing notes, was also passed in the Senate. Webster commented cynically on the attitude of the Democratic administration in recommending "a regular emission of paper money," but he could not consistently oppose a measure so obviously necessary. It was ultimately approved by the House and signed by the President.

The Sub-Treasury Act, however, met a different fate. In substance, it required all receivers and custodians of public money to retain it safely in their possession until ordered to disburse or transfer it. Theoretically it relieved the government of any influence from banks and placed with the Treasury the direct control of all national funds. To Webster, who had often argued for the constitutionality of a United States Bank, the Independent Treasury seemed dangerous. In a long speech on September 27,[1] he covered the entire Democratic programme, protesting that the Independent Treasury was but an "experiment," and that it surrendered "a great power of the Constitution," and abandoned one of the basic duties of government — the regulation of "a sound, safe, and uniform currency." The bill was eventually passed in the Senate, but the House laid it on the table, and the Special Session closed on October 16, having accomplished very little.

Although Webster's arguments against the Independent Treasury sounded plausible, it is impossible to escape the conclusion that they were actuated mainly by partisanship. He felt that, as a plan for hoarding funds from general use, it was a lapse into "barbarism"; that it would prevent the government from employing the state banks as fiscal agents; and that it would withdraw specie from circulation.[2] As a matter of fact, however, the Independent Treasury system had already been put into operation. No Bank of the United States existed. The state banks, having suspended specie payment, were unavailable. Hence, the federal officers were themselves collecting money and disbursing it, and the system assailed by Clay and Webster as so detrimental to business was actually functioning without causing the slightest disturbance.

The Independent Treasury was brought up at the next two sessions of Congress, defeated in the House, and not finally passed until the spring of 1840. Repealed under the Whigs in 1841, it was revived in 1846, and brought with it none of the evils which Webster so vehemently had prophesied. If he had hoped to persuade Congress of the necessity of restoring the Bank of the United States, his efforts were in vain.

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[1] National Edition, VIII, 62 ff.

[2] For an excellent discussion of Webster's position, see Carey, pp. 190–92.

After a brief interval, the regular session of the Twenty-fifth Congress opened in December.[1] The Whigs, jubilant over their successes in the autumn election, returned in an optimistic mood, and Webster wrote, "That there has been a considerable change in public opinion, is certain." Most of the debates dealt with the Independent Treasury, Calhoun, now a Democrat, being lined up with the administration Senators against Clay and Webster. Entering the discussion on January 31, 1838,[2] Webster continued his argument on March 12,[3] in a very elaborate speech, covering seventy-five pages in his printed works — one of the most carefully prepared of his Congressional utterances. The last section was devoted to an answer to Calhoun, in which he reviewed the political careers of himself and the South Carolinian and reproached him for his apostasy from the Whig Party. In these pungent paragraphs, Webster displayed a wit and a cutting ridicule which had hitherto been absent from his senatorial speeches. His informal addresses on his Western tour had made his style less ponderous, and there were moments during his reply to Calhoun when Webster sent his colleagues into gales of laughter and brought a smile to the lips of even the saturnine Southerner. Webster's dry sarcasm and pleasant drollery were, moreover, without bitterness and in perfect good temper. Calhoun, who was utterly devoid of humor, undertook to reply ten days later, and Webster retaliated on that same afternoon, in a defense of his conduct which has much autobiographical value.[4]

Once more, as in 1833, the debate had taken the form of a verbal duel between Calhoun and Webster. In the interval, the two leaders had been united by their hatred of "Old Hickory." Now they were again in opposing camps, each one conscious of inconsistencies in his past record and each highly sensitive to criticism. In answering the charge that he had been opposed to the War of 1812, Webster was somewhat evasive; and it was indeed difficult for him to neutralize the citations which his enemies made from his published addresses. On slavery, he was safer, for he had never wavered in his convictions. In explanation of his change on the tariff, he brought forward the old argument that he had followed the wishes of his constituents; but he could not dodge the fact that he had once declared a protective tariff to be unconstitutional. And Calhoun, too, was vulnerable. He who had once voted for a protective tariff, who had advocated the doctrine of internal improvements, who had held aloft the standard of nationalism and approved of a Bank of the United States, was now opposed to all that he had formerly declared to be sound policy. Neither Webster nor Calhoun had been consistent, but, of the two, the latter had the more to explain.

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[1] On November 28, in New York, Webster attended a dinner for 220 men at the Astor House. After a long series of preliminary speeches, he was introduced at two o'clock in the morning, and kept on "in a strain of unwearied and unwearying eloquence" until four o'clock. We are told that the guests "remained immovable in their seats, with no indications of fatigue or inattention." Hone, who was present, commented, "There is scarcely another individual in the United States who could thus have fixed their attention at such an unreasonable hour." (Hone, I, 281.)

[2] National Edition, VIII, 140 ff.

[3] *Ibid.*, p. 162 ff.

[4] *Ibid.*, p. 238 ff.

At this session of 1837–38, the slavery question was revived in both the Senate and the House, and Webster confessed that "the Anti-Slavery feeling is growing stronger & stronger every day."[1] Calhoun, resentful of the attacks of the Garrisonian abolitionists, had become not only the apologist but the ardent defender of slavery, and proposed in late December, 1837, a series of resolutions virtually pledging the Senate not to interfere with it in the South and asserting that any meddling on the part of certain states with the domestic institutions of others was unconstitutional, insulting, and likely to break up the Union. He insisted that a refusal to assent to his propositions would mean "a silent acquiescence in the insults offered to Southern rights and Southern feelings." Clay then stepped forward in the rôle of compromiser, maintaining the inexpediency of abolishing slavery in the District of Columbia. At this point, Webster, hitherto inconspicuous in the debate, spoke on January 10, 1838, in dispassionate opposition to Clay's amendment, on the ground that it was in defiance of the recognized power of Congress over the District of Columbia. In spite of all Webster's arguments, Calhoun's resolutions, somewhat altered, passed the Senate, with the approval of many Northerners who were afraid to offend the South. Meanwhile petition after petition against slavery was presented to the Senate, received by that body, and laid on the table, without that reference to the Committee on the District of Columbia which Clay and Webster both desired. In the House, the notorious "gag" resolution, sponsored by Patton, of Virginia, was introduced and passed, against the protest of John Quincy Adams and Caleb Cushing. Men of vision were apprehensive regarding a problem which was becoming more serious with each successive Congress.

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[1] Webster to Silliman, January 29, 1838 (National Edition, XVI, 295).

The unprofitable session dragged along into the summer of 1838, and Webster wrote on July 4: "The weather is intolerably warm. I never knew such a succession of hot days, — there is no going abroad a step, in the sun." Young Alexander H. Stephens, drifting into the Senate to satisfy his curiosity, described Webster as "sullen, worn-out, a caged lion." Meanwhile the New York banks resumed specie payments, followed by those in New England, and it looked as if the country were getting back to normal conditions. Congress adjourned in mid-July, and Webster went at once to New York, where Hone found him "fagged with hard work" and panting for relaxation at Marshfield.[1] When he reached Boston, his admirers arranged a huge public dinner in Faneuil Hall, at which Governor Edward Everett presided, and Webster was accorded a remarkable ovation by the fifteen hundred guests. Once again he was back home, giving an account of his stewardship, and he could have had no doubt that the verdict was "Well done, good and faithful servant."[2] In August he was by the seashore, and in September he went to The Elms for a visit of inspection. In the autumn Edward

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[1] Hone, I, 318. Entry for July 12, 1838.

[2] For Webster's complete address, see National Edition, II, 263–82.

Everett defeated Marcus Morton for the Governorship of Massachusetts, and the Congressional delegation from the state was, with one exception, made up of Whigs.

Having business in Boston, Webster did not return to Washington until early in 1839. He had missed nothing, for Congress was engaged in a futile discussion on the public lands. Soon, however, he found himself in the midst of a stormy debate on a question which involved the relations between the United States and Great Britain.

The Treaty of 1783 had left the boundary line between Maine and New Brunswick somewhat vague, and settlers in the border country were in constant altercation. After some futile attempts at compromise, it was finally agreed in 1827 to submit the conflicting claims to the King of the Netherlands, who presented four years later a decision dividing the disputed territory between the rival countries. The Senate, however, refused to ratify this award, and the matter had thus been left unadjusted, although the State of Maine kept pressing the Federal Government for action.

The outbreak of a rebellion in Canada against the British colonial government in 1837 inevitably caused trouble along the border, culminating in the *Caroline* affair of late December in that year. Navy Island, in the Niagara River two miles above Niagara Falls, had been occupied by William L. Mackenzie, a Canadian "patriot," and a small band of followers, who established there a provisional government and were furnished with supplies by the small steamer *Caroline*. While this vessel was laid up for the night at Schlosser, on the American shore, a body of Canadian loyalists cut her from her moorings, towed her into midstream, set her on fire, and let her drift over the falls. During the struggle at the dock, a United States citizen, Amos Durfree, was killed.[1] The British ministry took the ground that this invasion of our territory was a necessary public act, for which it was prepared to assume the responsibility, but this excuse did not satisfy our Department of State. A few months later, agents from Maine and Massachusetts entered the disputed Aroostook region in northern Maine, and the Canadian militia was summoned to eject them. Maine troops were called out in retaliation, and the Governor asked President Van Buren for aid. Everywhere along the border, nerves were on edge, and an overt act was expected at any moment. Much anxiety developed in Washington during the summer of 1838, and, when the Twenty-sixth Congress assembled, there was some reason for fearing that hostilities might soon develop between the Anglo-Saxon countries.

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[1] For further details, see *The Relations of the United States to the Canadian Rebellion of 1837–1838*, by Orrin Edward Tiffany, in *Publications of the Buffalo Historical Society*, Vol. VIII (Buffalo, 1905).

Webster, who had made a careful study of all the complicated details, was at first for vigorous measures, and felt that the administration should take "a more decided tone." Speaking on February 27, 1839, he declared himself as favoring an immediate examination of the boundary and a settlement of it, with or without the acquiescence of England. In this and in a speech made two days later, he showed himself in a pugnacious mood.[1] Meanwhile, however, a plan for sending a special commission to London had been suggested to the President, and the Congressional delegations from Massachusetts and Maine had joined in recommending Webster as a suitable emissary. Webster, who coveted the appointment,[2] heard that Poinsett, the Secretary of War, had urged it upon Van Buren and that the President had intimated that Webster's opinions were "too much inclined to a *war* aspect." Anxious to reassure Van Buren on this point, Webster called upon Poinsett, told him of the gossip, and read him a memorandum outlining the policy which, in his judgment, ought to be pursued. In this document, which was long thought to be lost but the original of which was discovered more than sixty years afterwards,[3]

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[1] National Edition, XIV, 271–78.

[2] As late as April 15, 1839, Hone, after dining with Webster at a meeting of the "Hone Club" in New York, said of the latter's possible appointment as special minister to England, "I am tolerably sure that he expects it." (Hone, I, 352.)

[3] The full text of this memorandum is printed in National Edition, XV, 119–22. See also Curtis, II, 2–4.

Webster advocated a procedure very similar to that which he later adopted in 1842, as Secretary of State. Far from being belligerent, he urged a series of interviews "in the most friendly spirit," and outlined the attitude which the United States should assume in every conceivable contingency. The memorandum was obviously intended to convince Van Buren that Webster, although a Whig, was not a dangerous person to entrust with responsibility. Congress soon authorized the President, if he saw fit, to name a special commissioner to Great Britain to settle the Northeastern Boundary. The suggestion that Webster should be sent to London did not, however, please the "Red Fox," who disliked the Massachusetts statesman and was too shrewd a politician to provide an opportunity for enhancing the prestige of any leader of the opposition. The President simply declined to act, and Webster was once more disappointed.

In the meantime, he had definitely resolved to make a trip to England "in a private character." He needed badly a period of recreation and rest, and no one appreciated better than he the cultural value of a visit to the British Isles. He had in mind also the possibility of selling there some of his holdings in Western lands.[1] Perhaps he had a premonition that he might soon be engaged in diplomatic business which would make it desirable for him to be acquainted with English statesmen. It was a time when he could conveniently be absent from the United States. He had no important law cases to claim his attention. The General Court of Massachusetts had recently reëlected him as United States Senator.[2] Finally, his daughter, Julia, who was engaged to Samuel Appleton Appleton,[3] had expressed a wish to be married in

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[1] Webster's plans for disposing in England of his agricultural holdings in Ohio, Illinois, Michigan, and Wisconsin were fully outlined in a letter to Samuel Jaudon (Van Tyne, pp. 723–26). He wrote, "I think that fair, competent judges would estimate my property in & about Peru, at 100,000 dollars." The sale of these lands, Webster added, would enable him "to remain in public life."

[2] The vote for Webster as United States Senator had been unanimous in the Massachusetts Senate (January 17, 1839). In the House of Representatives, on January 18, he had received 330 votes against 65 for Benjamin F. Hallett, a well-known Democrat.

[3] Samuel Appleton Appleton (1811–61) was the son of Eben Appleton (1784–1833).

England, where her prospective husband had been born and educated.

As soon as Congress had adjourned, Webster returned to Boston, where he wrote to a friend, "I will state to you, in entire confidence, that it is my purpose to go to England."[1] It was not, however, until May 18 that he embarked from New York on the steamship *Liverpool*, accompanied by Mrs. Webster, his daughter Julia, and Mrs. James W. Paige, the wife of his brother-in-law, a sprightly young lady of thirty.[2] They landed at Liverpool on a Sunday morning, after a smooth passage of a little over two weeks. After three days in that city, they visited Chester and then proceeded to London by railroad, reaching the capital in the very height of the social season. Their headquarters were at the Brunswick Hotel, in Hanover Square.

As soon as it was rumored that he was in London, his old friends sought him out, and he was invited to meet the most distinguished men in England. Everybody was eager to see and talk with the "Great Western," as the British wits facetiously dubbed him; he was assiduously "lionized," and his programme for a month was filled with engagements of all kinds. He had hardly unpacked his luggage before he was carried off to breakfast at the home of John Kenyon, with Wordsworth, Samuel Rogers, Hartley Coleridge, and Monckton Milnes; and on that evening he was introduced at a soirée to Tom Moore, Lockhart, and Henry Hallam. Although it was understood that he was in London quite unofficially, opportunities were arranged for him to become acquainted with

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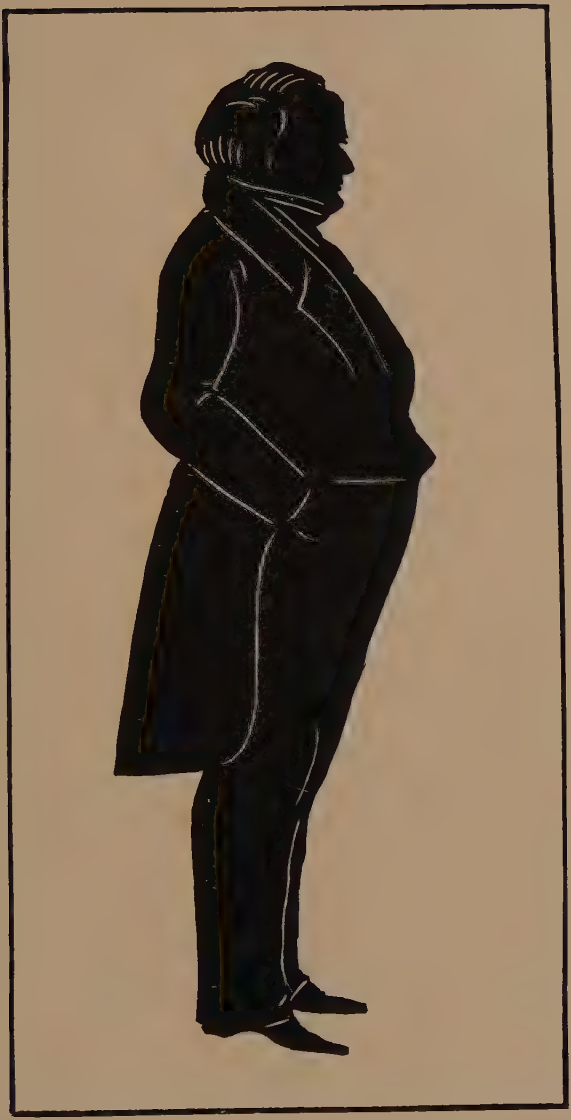
Both his parents were dead in 1839. He was in business as a partner of Nathan Appleton and James W. Paige. (National Edition, XVIII, 45.)

[1] Webster to Ruggles, March 23, 1839 (*Ibid.*, XVI, 306).

[2] The story of this trip was delightfully recounted by Mrs. Paige in her diary, published in 1917 under the title, *Daniel Webster in England, Journal of Harriette Story Paige, 1839*, edited by Edward Gray. Mrs. Paige was a niece of Justice Story. Apparently Mrs. Webster's father, Mr. Le Roy, defrayed some of the expenses of the journey. An even more intimate account is that by Julia Webster in her manuscript Diary, now in the possession of her grandson, Lewis Addison Armistead, of Boston, and lent by him to me to be quoted from in this book. The Diary unfortunately breaks off on October 21, 1839, and is not resumed until 1843.



Daniel Webster

From a silhouette by William Henry Brown, 1840
(Courtesy of Glenn Tilley Morse)

leading statesmen, including Lord Melbourne, Palmerston, Lord Lyndhurst, the Duke of Wellington, Disraeli, Earl Grey, Daniel O'Connell, and Sir Robert Peel, who impressed Webster by his versatility. He dined with the Duke of Buckingham and visited the House of Lords and the courts under the guidance of Lord Brougham. He attended a gorgeous state dinner given by the Lord Mayor of London, at which he was toasted as "a member of the upper Senate of New York."[1] Among the celebrities with whom he breakfasted or dined were Milman, Jane Porter, Sydney Smith, Macaulay, Henry Crabb Robinson, and Charles Dickens, then just coming into fame as "Boz."[2] "Our heads are a little turned at present," wrote Webster, "but we hope to get right soon."

On what was a typical day, he made a tour of several of the famous clubs, attended a session of Parliament while the ladies inspected the National Gallery, dined at seven with Mrs. Webster at the home of the Earl of Sussex, and, at ten, rejoined Mrs. Paige and Julia to escort them to a concert at the residence of Mrs. Bates. "We have been very kindly treated in London, by persons of different sorts," he wrote. They first were presented to the sprightly young Queen Victoria at the Queen's ball, where Webster looked very handsome in a court dress of smallclothes, white silk stockings, diamond knee and shoe buckles, a coat lined with white satin, a white satin vest, and a shirt with point-lace ruffles. Later they met Her Majesty less formally, and Webster, after a long conversation with her, pronounced her intelligent and agreeable.

Of the impression which Webster made on his hosts we have sufficient evidence. Disraeli found him a "complete Brother Jonathan," with a remarkable Yankee twang in his voice, and was struck by his "fine brow, lofty, broad, and beetled, deep-set eyes, and swarthy complexion." Artists exclaimed over

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[1] National Edition, IV, 234.

[2] To satisfy the curiosity of his friends at home, Webster wrote: "Boz looks as if he were twenty-five or twenty-six years old, is somewhat older, rather small, light complexion, and a good deal of hair, shows none of his peculiar humor in conversation, and is rather shy and retiring." (*Ibid.*, XVI, 309.) Julia Webster found him "too much of a dandy."

Webster's magnificent head, and, wherever he went, admiring throngs gathered, as they had done in Boston. Carlyle, after meeting him at breakfast, sent to Emerson the often-quoted description of "the tanned complexion, that amorphous crag-like face; the dull black eyes under their precipice of brows, like dull anthracite furnaces, needing only to be *blown;* the mastiff-mouth, accurately closed," and characterized him as "a dignified, perfectly bred man," but "political, seemingly altogether," and therefore not otherwise interesting.[1] Henry Crabb Robinson noted in his famous *Diary* that Webster, "far from being a Republican in the modern sense, had an air of Imperial strength, such as Cæsar might have had." John Kenyon, who had imagined him "a powerful, but harsh-looking man," was pleasantly surprised to find him "kindly and frank," and recorded in his Diary that Webster had "a commanding brow, thoughtful eyes, and a mouth that seemed to respond to all the humanities."[2] Henry Hallam was struck by "his grave and prudent manner of speaking on political subjects, which seemed to me neither too incautious nor too strikingly reserved."[3]

It was not a moment when the United States was well thought of in England. Travelers like Mrs. Trollope and Captain Marryat had returned with startling descriptions of American vulgarity — our national habit of spitting, our barbaric table manners, our lack of culture. The decline in the value of Pennsylvania bonds, followed by a default in the payment of interest, had aroused resentment among British investors; and other states were on the verge of repudiating their obligations. It was, as Webster admitted, "a most gloomy time, so far as American securities in general, and the State debts in particular, were concerned." At this critical hour the price of raw cotton rose to sixteen cents a pound, and looms in Manchester lay idle. These sources of irritation, added to the dispute over the boundary between the United

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[1] *The Correspondence of Thomas Carlyle and Ralph Waldo Emerson*, Vol. I, 260–61.

[2] Curtis, II, 23.

[3] Hallam to Mrs. Ticknor, January 21, 1840 (*Ibid.*, p. 27).

States and Canada, would not ordinarily have made an American Senator a welcome guest. There was, indeed, a poorly concealed hatred of Yankees in England in 1839, and the ignorance and prejudice of the British press were shocking. Yet Webster, through his tact and personal magnetism, triumphed over animosities and won the affection and admiration of nearly everybody. John Kenyon was delighted to find him "so affectionate, so little of a humbug."

Although Webster was invited to attend several public meetings, he avoided all of them, fearing that his presence might embarrass himself and Van Buren's administration. Indeed, the greatest of American orators, during his many weeks in the British Isles, made only one speech — a very brief response to a toast offered him by Earl Spencer at the Triennial Celebration of the Royal Agricultural Society, held at Oxford, on July 18, with three thousand people sitting down at luncheon. Most of Webster's remarks were of a conventional nature, but, towards the end, he referred briefly and happily to the dissension between the two Anglo-Saxon countries: —

> Some little clouds have overhung our horizon, — I trust they will soon pass away. I am sure that the age we live in does not expect that England and America are to have controversies carried to the extreme, upon any occasion not of the last importance to national interests and honor. . . . I am sure that the civilized world would hold your country and my country to a very strict account if, without very plain and apparent reason, deeply affecting the independence and great interests of the nation, any controversy between them should have other than an amicable issue.

Language of this sort was well received by the British press, and showed Webster to be well qualified for strengthening the ties between Englishmen and Americans. Ardent nationalist though he was, he was singularly free from bluster and provincialism, and his vision was not limited by the borders of his own country.

In August, the Websters started on a tour through the provinces, going first to Warwick and Stratford, and from there into Wales. At Liverpool, they turned north into the

Lake Country, where they were disappointed in not seeing Wordsworth and Southey. They continued into Scotland, being much annoyed by continuous rains and obnoxious tourists, but visited Glasgow, the Scotch lakes, Stirling, Edinburgh, and Abbotsford, and returned to London through the cathedral towns — Durham, York, and Lincoln. They were entertained most hospitably along the route by Lord Lonsdale, at Lowther Castle, by the Earl of Morton, at Dalmahoy, by the Duke of Rutland, at Belvoir Castle, and for shorter periods by other members of the nobility on their estates. Wherever Webster went, he observed and listened, and he made a study not only of the practical working of British political institutions but also of agricultural methods.

At Glasgow, Edward Webster and Samuel A. Appleton, who had landed at Liverpool in late August, had joined the party and had accompanied them on their travels. They all reached London on September 20, and there, four days later, Julia Webster and Mr. Appleton were married at the historic St. George's Church, in Hanover Square. On September 29, Mrs. Paige and Mrs. Webster, with the bride and groom and Edward, sailed to the Continent for a few weeks in Holland, Germany, and Switzerland. Webster himself remained in London, to attend to some business matters. He soon found that there was no market for his Western lands. "Everything connected with American affairs here has been as bad as possible," he wrote. "I do not suppose anything American could have been sold." [1]

On October 19, Webster rejoined his family in Paris, Edward having been left at a school in Geneva. Lewis Cass, Webster's old schoolmate at Exeter, was then our Minister to France,[2] and extended to him many courtesies. General Cass presented him to King Louis Philippe, who received him graciously, and said: "I have your speeches in my library, and often consult them; on some subjects they are models, particularly those relating to Finance. I study them more than any other speeches."[1] Later the King sent for him on several occasions, and they had long conversations on political topics. Webster, as soon as he became better acquainted, found everything in the royal household "just as one would desire in a well-regulated, highly intellectual, and cultivated American family."

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[1] Letter to Everett, October 16, 1839 (National Edition, XVIII, 71).

[2] Webster described Cass in 1826 as "what we call in New England *a clever fellow*, good-natured, kind-hearted, amiable, and obliging," and added, "He is of the age of Saltonstall, who was with him at Exeter, equally good-humored, more talkative, and twice as fat." (Curtis, I, 260.)

The party took passage in a sailing vessel for the United States, and arrived in New York on December 29, after a tempestuous and wearisome voyage of thirty-five days. Philip Hone, calling on Webster that evening, found him "in good health and spirits," but full of "gloomy forebodings" about affairs in Washington. He had been away from home more than seven months, and was glad to be back again, although, under other circumstances, he would have liked to spend the winter in Europe. It had been an agreeable interlude in his life. He had visited historic shrines, studied Old World customs, acquainted himself with foreign politics, and measured himself against his contemporaries. Above all, he had made new friends and carried with him the good will of his countrymen. It is probable that he discussed with influential British leaders the relations between the two countries, and gave them assurance of his desire to avoid a quarrel. In a sense, he had been an ambassador of peace, and the good results of his visit were to become increasingly evident when he himself, within a few years, was to control our diplomatic policy.

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[1] Harvey, pp. 256–57. Doubtless King Louis Philippe remembered Webster's friendly attitude towards France during the debate over the Fortification Bill in 1835.

XIX

THE WHIGS COME INTO THEIR OWN

This practice of itinerant speech-making has suddenly broken forth in this country to a fearful extent.

— JOHN QUINCY ADAMS, Journal, September 24, 1840

We are on a great march to the triumphant victory of the principles of liberty over executive power.

— WEBSTER, Address in Richmond, October 5, 1840

THAT strange amorphous group, the Whig Party, organized in Jackson's administration, was now to have an opportunity for demonstrating its efficiency. It was composed of heterogeneous elements, — old Federalists and National Republicans, United States Bank men, beneficiaries of a protective tariff, Antimasons, and advocates of state rights, — which, fused temporarily together by their fiery hatred of "Old Hickory," were very dangerous in opposition. Clay, in maintaining that the Whigs were against executive usurpation, acknowledged that their original function was mainly destructive. Emerson, a shrewd observer, said, "The Whigs have only for their system the negative defence that they maintain it until something really good appears." Webster himself described the party as "made up of different opinions and principles, of gentlemen of every political complexion, uniting to make a change in the administration."[1] Joined in affliction, they fell apart under prosperity. John Quincy Adams and Webster, Clay and John Tyler, although widely divergent in their philosophies of government, could all consistently denounce Jacksonism; but, after success had been achieved, they fought among themselves like the chieftains of Highland clans when the common foe has been routed. The history of the Whig Party is a tale of futility, "full of sound and fury, signifying nothing." The only Presidents whom it could elect were soldiers, Harrison and Taylor, enveloped with a military glamour; each died in office and was followed by a successor who reversed his policies; and the real leaders, Clay and Webster, had seldom a chance to put their doctrines into practice. The Whig Party perished miserably because it was critical, not constructive. Pathetic rather than tragic, it gave way ultimately to the Republicans, who had the ardor and singleness of purpose of crusaders.

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[1] National Edition, III, 129.

There had been a time when Webster had hoped to be rewarded by the Whig nomination for President in 1839. The trend of events, however, had not encouraged his aspirations, and he wrote on June 12, from London, an open letter to the people of Massachusetts, withdrawing his name.[1] He did not, at the moment of his embarkation for Europe, think very highly of the Whig chances, and he deliberately tried during his visit to foreign countries to forget all about domestic politics.[2] It was, therefore, with some astonishment that he learned of the choice of William Henry Harrison as the Whig standard-bearer by the convention which had assembled at Harrisburg, Pennsylvania, early in December.

Henry Clay had, of course, been a leading candidate. Henry A. Wise asserted that Webster was "undoubtedly opposed to the nomination of Mr. Clay" and that his friends brought forward the name of General Winfield Scott in order to defeat Clay in the convention.[3] Certainly Webster had good personal reasons for not wishing Clay success, but the evidence indicates that, out of the country, he maintained a policy of "hands off." Although Clay had led on the first ballot at Harrisburg, Harrison made gradual gains and, on the third day, secured a comfortable majority. Again Wise is the authority for the story that Clay, hearing of his betrayal, became grossly intoxicated and indulged in the coarsest kind of profanity, declaring that his supporters were "not worth the powder and shot it would take to kill them."[1] No doubt Clay was mortified, but he soon came out for Harrison and later made speeches in his favor. Clay's unjustified suspicion that Webster had lent his influence to Harrison did not improve the relations between the two leaders, who were never free of jealousy of one another. Their outward courtesy veiled a deep-seated distrust.

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[1] National Edition, XVI, 311.

[2] Webster wrote Ketchum, August 29, 1839: "I hear little, and say nothing of American politics. You may manage those things to suit yourselves. I express no opinion to anybody about the pending election. I see enough to convince me that our affairs at home are in a very bad and difficult state, and I do not profess to know who was born to set them right." (*Ibid.*, XVIII, 65.)

[3] Wise, p. 161 ff.

Although Webster must have been amazed to learn that John Tyler, the Virginian exponent of State rights, had received the Whig nomination for Vice President, he could have had no premonition of its effect on his own career. For the moment he was disturbed because the autumn elections had shown Whig losses. In Massachusetts, for example, Edward Everett had been defeated for Governor by the Democrat, Marcus Morton, by a majority of one vote.[2] Webster probably paid little attention to the news that a so-called Abolition Party, at a convention in Warsaw, New York, had organized and nominated James G. Birney for President. It was the small acorn from which a great oak was to grow.

After his long absence, Webster was very glad to sit down in his law office, where his desk was piled high with letters. On January 13, by invitation of the General Court, he addressed its members in the Hall of Representatives on "The Agriculture of England." He was a picturesque figure as, clad in full evening dress of rich broadcloth, he leaned on the Speaker's desk and talked informally about farming as he had observed it abroad. He was ready to admit that English methods of cultivation were "more scientific, more systematic, and more exact" than ours, and he was especially impressed by the attention given to a carefully thought out rotation of crops. He noted that the turnip was "the great green crop of England," which had revolutionized agriculture there. Although he did not regard the English as our superiors in designing implements of husbandry, he was impressed by their use of tile draining and irrigation, and their rearing of cattle and sheep. It was a friendly discussion, without any politics in it, revealing the essentially human side of Webster's nature.

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[1] Wise, p. 170 ff.

[2] In this remarkable election, Morton received 51,034 votes against 50,725 for Everett and 307 scattering. Contemporary opinion differed as to the responsibility for Everett's defeat, but it was probably due to the fact that the latter, against Webster's advice, had signed the "Fifteen Gallon Act," a temperance measure intended to eliminate the sale of alcoholic liquor in bars and saloons, but which was denounced by the Democrats because of its unfairness to laboring men. For an interesting discussion of this campaign, see p. 237 of Darling's *Political Changes in Massachusetts, 1824–48*, a work which is an important contribution to the history of this period.

At the end of January, 1840, Webster was back in Washington, "snugly settled here, in a room as big as a closet, a good wood fire, Charles, my French books, my law books, &c. &c."[1] In Massachusetts he had been despondent, but he found himself at the capital in an atmosphere of Whig optimism, by which he was quickly stimulated. He soon caught the contagion and, like the other Whig leaders, spoke with confidence of the coming victory.[2]

The session itself was marked by only one important legislative measure — the Independent Treasury Bill, passed in the Senate on January 23, during Webster's absence, and finally pushed through the House at the end of June, after a protracted debate. The elated Van Buren signed the act with a flourish on Independence Day, thus signalizing what his biographer, Shepard, has called "the triumph of a really great cause." It was the chief constructive achievement of his administration. Webster tried in vain to secure the passage of a bill providing for a uniform system of bankruptcy, and, in a speech against the Treasury Note Bill, commented severely on the government's financial policies. But Washington was much more interested in the approaching presidential election. Hone felt in March that Congress was "a constant scene of tumult and disorder," which disgraced the annals of the country. There were brawls almost daily, and the capital seemed to be full of drunken rowdies. After Congress had adjourned on July 21, John Quincy Adams recorded his opinion that American institutions were degenerating and that parties were "falling into profligate factions."[1]

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[1] Letter to Mrs. Paige, February 2, 1840 (National Edition, XVIII, 73).

[2] On March 29, he wrote Jaudon, "We have more than an even chance of accomplishing a thorough revolution in the administration," and, on June 23, he said: "The prospect is now very strong that General Harrison will be elected. Indeed, we have no doubt of it." (*Ibid.*, pp. 79, 87.)

Long before Congress had risen, Webster was actively engaged in the busiest political battle of his career. The Democratic Convention, called in Baltimore, on May 4, had renominated Van Buren by a unanimous vote; but the Whigs, as if to display their contempt for their opponents, arranged for an imposing procession in the same city, at the very time when the Democrats were gathered there. To this Whig Convention of Young Men came delegations from every section, and it developed into "the greatest political demonstration which, up to that day, had taken place in the United States."[2] The Democrats had jeered at Harrison as a frontier barbarian, wearing a coonskin cap and drinking hard cider in his log cabin; and the Whigs, cleverly taking their cue from their rivals, made these the symbols of their campaign. In Baltimore, the paraders brought with them countless log cabins and barrels of cider, and rolled through the streets a huge ball, ten feet in diameter, on which were inscribed mottoes and rhymes. The streets were wedged with solid masses of people who had come to watch the fun and listen to Clay, Cushing, Crittenden, Fillmore, and Webster, the last of whom declared that he had never "seen a spectacle like the present."

In June, Webster was the guest at a Whig festival in Alexandria and, in his first speech south of the Potomac, declared, while his audience cheered him wildly, that no enemies should "separate the Whigs of the Old Bay State from the Whigs of the Old Dominion."[3] By this date, he had been assured of a seat in Harrison's cabinet,[4] and was prepared to throw himself heart and soul into the campaign. As he studied public sentiment, his confidence increased, and, after a trip to western Massachusetts and Vermont, he wrote: "The general spirit where I have been is extraordinary, marvellous, unprecedented. We are either on the high road to the accomplishment of the greatest civil revolution ever yet achieved in this country, or else we are in enchanted ground, surrounded by fairies, fancies, phantoms, and dreams."[1] Even Adams was hopeful and confided to his *Diary*, "The imposture of Jackson and Van Buren Democracy would seem to be drawing to its catastrophe."[2]

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[1] Adams, X, 342.

[2] McMaster, *History*, VI, 570. According to Hone, the procession was assaulted by Locofoco ruffians, and one Whig delegate was killed.

[3] Address on June 11, 1840 (National Edition, XIII, 111).

[4] Letter to Jaudon, June 23, 1840 (*Ibid.*, XVIII, 87–88).

For the creation of a feeling in favor of Harrison, Webster was more responsible than any other Whig. The campaign soon developed into a mad revelry of music and shouting, parades and songs. Having learned by bitter experience that a democracy can be guided better by mob madness than by logic, the Whigs resorted to the tactics employed by the Jacksonians in 1832. More votes could be gained by shouting "Tippecanoe and Tyler too!" than by publishing argumentative pamphlets. But speeches had to be made, and Webster could always draw a crowd. Adams was amazed to see the party leaders traveling from state to state, "holding forth, like Methodist preachers, hour after hour, to assembled multitudes under the broad canopy of heaven." Again and again, Harrison, the humble farmer, was contrasted with Van Buren, the patrician. The crude Indiana log cabin was pictured side by side with what one orator called "the royal splendor of the President's Palace." The Whigs cleverly made Jackson's political heir seem the candidate of aristocracy, and turned the bewildered Harrison into the spokesman of the people.

Although swept along on the tide, Webster did not sink into demagogy. Wherever he went, he stressed the need of a change, and he found that his audiences responded to a straight denunciation of Democratic policies. Abandoning prepared speeches, he adopted an easy conversational style, such as he had used on his Western trip in 1837. His language was crisp and colloquial, rich in homely idioms and humorous turns of phrase. Never had he been more effective. There was a tremendous demand to hear him, and the Whig managers did their utmost to make his prestige count where it was needed. Clay sulked in his Ashland home until late in the summer, but Webster did not relax until the fight was won.

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[1] Letter to Warren, July 12, 1840 (National Edition, XVI, 330).

[2] Adams, *Memoirs*, August 13, 1840, X, 347.

He refused countless invitations. Thirty communities invited him for Independence Day, which he finally spent at a great gathering in Worcester. On July 7, he spoke in an open field, aflame with brilliant painter's brush, on the slope of Stratton Mountain, in southern Vermont, before an audience of fifteen thousand people, many of whom had traveled a hundred miles to hear him. Looking out over the broad valley, Webster began, "From above the clouds I address you."[1] On August 14, in Saratoga, New York, he thrilled ten thousand Whigs from a platform erected hastily in a grove of pines. When he had talked for only a few minutes, the improvised rostrum gave way, precipitating the chairman and the distinguished guests some seven or eight feet to the ground. Nobody was injured, and Webster, the first to recover himself, announced in his sonorous voice that "the great Whig platform was more solid than the frail structure on which he had been standing." He was then raised by strong arms to "a long, red, pedlar-wagon with sloping sides and a top about eight inches wide."[2] On this narrow pedestal, with nothing upon which to lean and with no adequate support for his feet, Webster stood for two hours and forty minutes, delivering what was perhaps his finest purely political address. When it was over, he was so cramped that he could barely take a step, and the customary charge was made that he was intoxicated. Merely as a feat of physical endurance, this speech was remarkable.

Two weeks later he was in Newburyport, where his friend,

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[1] "When Daniel Webster Spoke on the Mountain," by Rebecca Middleton Samson, in the *Outlook*, November 30, 1921. The field where Webster spoke is now a dense growth of hemlock, fir, and spruce, but the spot where he stood is marked by a boulder unveiled in 1915.

[2] Letter from Charles A. Stetson, quoted in Wilkinson's *Daniel Webster — A Vindication*, pp. 119–21.

Caleb Cushing, was being welcomed home with a public reception and dinner.[1] On September 10, he was the chief figure at a Whig Convention held on Bunker Hill, to which came delegations from fifteen other states, bringing with them banners and bands of music. A picturesque procession, including floats of various kinds, formed on the Common and marched through the streets to Charlestown, being hailed along the route by throngs of spectators.[2] At Bunker Hill, Webster, as President of the day, delivered a Declaration of Principles and Purposes, reiterating the doctrines of the Whigs. As he finished, a terrific thunderstorm dispersed the audience, affording George Bancroft, a Democrat, an opportunity for predicting that "this Presidential contest will end like the Bunker Hill Procession here, which began its course exultingly in the sunshine, and was just at the last moment scattered by the worst South East flash ever known."[3] On that evening, in Faneuil Hall and other auditoriums in the city, the Whigs, undismayed by the deluge, held many rallies, so packed with people that Philip Hone wondered what could have become of the Boston Locofocos.

On September 22, Webster was in Patchogue, on Long Island, where he spoke humorously and colloquially, wandering somewhat in his remarks, but keeping his hearers always with him. He seemed especially eager to repudiate the accusation that he was an "aristocrat," and declared that he had "grown up among the people."[4] Six days later, at a meeting of merchants in Wall Street, he talked for more than two hours and a half, dealing in a very serious way with the condition of the currency. On this occasion, he answered some of the aspersions which, during the campaign, had been cast upon his conduct. It had been whispered that British capitalists were backing the Whigs, hoping that a Whig administration would pass an act by which the Federal Government would assume the repudiated debts of the several states; that Baring Brothers had paid Webster one thousand pounds for an opinion to the effect that the United States should meet these obligations; and that Webster was in the employ of certain Boston bankers and merchants, from whom he had received $60,000 before leaving for England. To these slanders, Webster replied that no English banker or holder of American securities had ever suggested, in the remotest manner, that the state debts be assumed by the general government; that he personally was opposed to any such procedure; and that he did not know a single man in Congress who believed it to have the right to pay the debts of a state. He had been asked by Baring Brothers for his opinion as to whether individual states could issue bonds and had replied that, "for this purpose, they were as completely sovereign as any State in Europe."[1] It was natural that Webster, so recently back from England, should be charged with being pro-British, but his defense was convincing.

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[1] Fuess, *Caleb Cushing*, I, 279.

[2] National Edition, III, 39–40; Darling, pp. 262–63; Hone, II, 40–43.

[3] Darling, pp. 269–70, from Bancroft's letter to Van Buren, November 2, 1840, in the *Proceedings of the Massachusetts Historical Society*, XLII, 386.

[4] National Edition, XIII, 114 ff.

In early October, Webster was in Wilmington, Delaware, and went from there to Washington and Richmond. At the last-named city he had a strenuous three days and made one of his most dramatic speeches. One of his sentences, repeated at a request from the audience, was to be frequently quoted: —

> Standing here in the Capitol of Virginia, beneath an October sun, in the midst of this assemblage, before the entire country, and upon all the responsibility which belongs to me, I say that there is no power, direct or indirect, in Congress or in the general government, to interfere in the slightest degree with the institutions of the South.

Soon he was back in Washington, fairly worn out with his exertions. "I have been too much excited," he wrote, "as I find I cannot, by night or by day, get speeches, &c., out of my head."[2] He did, however, at the end of October spend some days on a campaign tour in New Hampshire; and then he retired to Marshfield to rest and await the returns. The results justified all his confident predictions. In Massachusetts "Honest John" Davis was swept into the Governor's chair. One by one the states reported, rolling up an enormous majority for Harrison, who was to become what Emerson called the "Indignation President." Not for nothing had the Whigs chanted, "Van, Van, Van, is a used-up man." New Jersey, Pennsylvania, and New York were counted in the Whig column, and, when the smoke had blown away, Harrison had 234 electoral votes against 60 for Van Buren. The Whigs boasted that "the reign of folly, corruption, and misrule was over." John Quincy Adams was pleased, but he did not expect much from the new administration, and entered in his *Diary*, "Harrison comes in upon a hurricane; God grant he may not go out upon a wreck!"[1]

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[1] For this Opinion, rendered in a purely professional way, Webster received £500. See John Wentworth, *Congressional Reminiscences*, p. 45.

[2] National Edition, XVIII, 89.

Well aware of his obligation to Webster, Harrison wrote on December 1 to Webster offering him his choice of the State or the Treasury Department, and informing him that Clay had already declined a cabinet portfolio.[2] Ten days later, Webster, after explaining that he did not feel himself qualified for carrying on the routine business of the Treasury, accepted the Department of State.[3] His preference was approved by the President-elect, who did not, however, reach the capital until February 9. Adams reported in late December that the chief characteristic of Webster's conversation was "reserve," but the news could not be kept secret, and Levi Lincoln assured Adams on January 2 that Webster was to be the incoming Secretary of State.

The final Congressional session of Van Buren's administration accomplished almost nothing. Webster spoke at some length in criticism of the President's Message, showing that the latter's survey of the financial situation had created an erroneous impression; but there was little else to discuss. On Washington's Birthday, when Webster's resignation was read in the Senate, Cuthbert, of Georgia, rose and stated with much vehemence that, if the Massachusetts statesman had been in his seat, he had proposed to interrogate him upon a matter concerning which Webster had undergone a change of opinion — the legality of the transportation of slaves from one state to another for sale. With clenched fist, the Georgian pounded his desk, and denounced the Northerner in profane language.[1] His remarks were in such poor taste at that moment that they drew a rebuke from Henry Clay, who, with that generosity which, in his better moments, made him so attractive, burst into a eulogy of Webster, describing him as "one of the noblest specimens of American eloquence" and referring to his appointment as Secretary of State as "an homage richly due to him for services and talents unreservedly devoted to the service of his country for twenty or twenty-five years past." Not until the very close of his life was Clay again to mention his colleague in such laudatory terms.

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[1] Adams, X, 366.

[2] National Edition, XVIII, 91.

[3] *Ibid.*, pp. 93–94. Harrison also consulted Webster with regard to candidates for the other cabinet positions.

The election of Senator John Davis as Governor and the resignation of Webster left vacant both Massachusetts seats in the Senate. The leading candidates for Davis's place were Isaac C. Bates, a Northampton attorney, and Levi Lincoln, of Worcester. Bates, who had served four terms in Congress, was early in the field, and was chosen by the Whig caucus as the party nominee. He was shortly afterwards elected by the General Court. As Webster's successor, John Quincy Adams was suggested, and Webster characteristically urged his friends not to let the remembrance of the quarrel between Adams and himself affect their decision. Personally, however, Webster preferred Rufus Choate, who was finally given a majority in the legislature.

Until he could secure a house, Webster was the guest of William W. Seaton, editor of the *National Intelligencer*, and there he prepared what he hoped might be Harrison's Inaugural Message. The old general, however, had brought with him his own manuscript, written out on large sheets of foolscap paper, and declined to take advantage of Webster's offer. He did, nevertheless, submit his draft to Webster for revision, and the latter urged the elimination of some of the classical quotations and the references to Roman history; but his advice was not always heeded. On one evening, when he came home obviously fatigued, Mrs. Seaton asked him whether anything had happened. "You would think that something had happened," he replied, "if you knew what I have done. I have killed *seventeen Roman proconsuls* as dead as smelts, every one of them!" [1]

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[1] Poore, I, 247.

The critical John Quincy Adams thought that the inauguration of Harrison was, in spite of the immense throng, rather "showy-shabby." From the windows of his house, Adams watched Harrison ride by "on a mean-looking white horse," dressed in "a plain frock-coat or surtout," his hat in his hand although the air was chilly.[2] Hone saw him as "an elderly gentleman dressed in black . . . with a mild, benignant countenance." The procession, made up of Tippecanoe clubs, war veterans, and political societies, marched in perfect order to the Capitol, where, from the flight of steps at the eastern front, Harrison spoke for more than an hour and a half, and then took the oath administered by Chief Justice Taney. At the inaugural ball in the evening, Harrison remained for an hour, and Webster chatted with Clay in the group of Whigs around the punch bowl. For the moment all was serene.

Officially nominated on March 5 to be Secretary of State, Webster was at once confirmed by the Senate, together with the other heads of departments: Thomas Ewing, of Ohio, as Secretary of the Treasury; John Bell, of Tennessee, as Secretary of War; George E. Badger, of North Carolina, as Secretary of the Navy; and John J. Crittenden, of Kentucky, as Attorney-General. The confirmation of Francis Granger, of New York, as Postmaster-General was withheld until the following morning. It was not a strong cabinet, and Webster towered far above his colleagues in experience and ability.

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[1] Harvey, *Reminiscences*, 161 ff. The same story, in a slightly different version, is told in Poore, I, 250.

[2] Adams, X, 439 ff. Poore, however, states that Harrison's horse was "a spirited white charger," and the Boston *Atlas* for March 9 said of him, "He is an excellent rider and sits his horse remarkably well."

Meanwhile Webster, as if nothing important had occurred, calmly finished his argument before the Supreme Court in the famous case of *Rhode Island* v. *Massachusetts*, thus being the only one of our Secretaries of State to appear as attorney in a lawsuit while in office,[1] and then assumed his new responsibilities. He appointed his son, Fletcher, as his chief clerk, and the office was in full operation when Adams called there on March 11. Two days later Adams and Webster dined at the White House with a large company of leading Whigs, including Clay. The first Whig administration in our history was in power. It now remained to see what it would do.

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[1] A decision was rendered on March 10 against Webster and his client, the Commonwealth of Massachusetts.

XX

SECRETARY OF STATE

I am willing to appeal to the public men of the age, whether, in 1842, and in the city of Washington, something was not done for the suppression of crime, for the true exposition of the principles of public law, for the freedom and security of commerce on the ocean, and for the peace of the world.

— WEBSTER, Speech in the Senate, April 7, 1846

It may be fairly said that no one, with the exception of John Quincy Adams, has ever shown higher qualities, or attained greater success in the administration of the State Department, than Mr. Webster did while in Mr. Tyler's cabinet.

— LODGE, *Daniel Webster*

DANIEL WEBSTER was an ideal Secretary of State. The office fitted both his tastes and his ambitions. Although frequently mentioned for high judicial positions, he had never cared for a place on the bench,[1] but he had always enjoyed diplomacy and had long coveted a mission at the Court of St. James's. In 1841, the Department of State faced some exceptionally difficult problems, and Webster looked forward to a period of real achievement. Nor could he ignore the social responsibilities now devolving upon him. He rented the spacious and attractive Swann House, facing Lafayette Square,[2] only a short distance from the White House, and it became at once a centre of lavish hospitality. From the diarists of the period we hear of dinner after dinner at which he was the host; and a party which the Websters gave in January 1842 was described as "the crowning entertainment of the season."[1]

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[1] Webster wrote Ketchum, December 18, 1840: "For my own part, I could never be a judge. Somehow I have always shrunk from the idea of judicial employment. There never was a time when I would have taken the office of Chief Justice of the United States, or any other judicial station. But this is a matter of taste or feeling." (National Edition, XVIII, 96.)

[2] The number was 1611 H Street, and the site is now (1930) covered by the building of the United States Chamber of Commerce. Webster bought the Swann House on July 1, 1841, for $14,000, paying $1000 down in cash. On the remainder, he paid $1500 on June 15, 1842, $4000 on August 25, 1842, and $600 on October 4, 1843. The balance was apparently never paid.

Since 1820, the Department of State had been located on the corner of Fifteenth Street and Pennsylvania Avenue, on a site now occupied by a wing of the United States Treasury. There Webster soon acquainted himself with his routine duties. He signalized his entrance into office by promulgating a Civil Service Circular, notifying the heads of the executive departments to instruct their subordinates that any display of partisanship in federal or state elections or any contribution to campaign funds would be viewed as sufficient cause for removal. It was a commendable gesture, but entirely futile. A horde of greedy politicians had encamped in Washington, and the harassed President had no peace. Webster himself had to peruse thousands of applications for minor offices under his jurisdiction. Among them was a letter from one John T. Stuart, recommending a certain Abraham Lincoln, of Illinois, to be Chargé d'Affaires at Bogotá and stating that the appointment would be very pleasing to the Whigs of Illinois.[2]

Webster was prepared for four years of untroubled devotion to diplomacy. Instead, he was entering on months of tribulation. Harrison at once called Congress into special session, and Clay was soon busy with the Whig programme of legislation. But on a Saturday at the end of March, the President, who was in his sixty-ninth year, was attacked by a chill, which developed into pneumonia. The excitement of the campaign had weakened his constitution, and the pressure of business, combined with the importunity of office seekers, had overtaxed his vitality. Early on the morning of April 4, while the cabinet members sat gloomily in a chamber adjoining the sick room, the old patriot died after several hours of delirium. On that day Adams recorded in his *Diary* his impression "of the frailty of all human enjoyments and the awful vicissitudes woven into the lot of mortal man."[1]

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[1] Poore, II, 297.

[2] Stuart to Webster, March 5, 1841 (Olney MSS.). Stuart was evidently trying to secure a change of climate for his law partner, Lincoln, who, after the fiasco of his broken-off marriage to Mary Todd, was in a mood of profound depression.

All Webster's plans had been formed on the assumption that he would have Harrison's support. Now he was suddenly obliged to adjust himself to an administration of which John Tyler was to be the head. Tyler's political opinions were no secret. As Senator, he had opposed internal improvements, a Bank of the United States, the protective tariff, and virtually all the sacred tenets of the Whigs. Only hatred for Andrew Jackson had brought him into the Whig fold. No one in Virginia held stronger views regarding the inviolability of the rights of the individual states. On almost every question of importance during the preceding twenty years he and Webster had been at odds. Tyler was a strict constructionist, who abhorred Webster's federalism. Furthermore, Tyler was fearless, and fixed in his opinions. His friends called him strong-willed; his foes described him as obstinate. Whichever adjective was preferred, it was difficult to move him from a position once taken.

It was Webster's official duty to notify the Vice President of Harrison's decease; and Fletcher Webster carried the news to Tyler, who was occupied in meditation at his country estate near Williamsburg. For the first time in more than half a century of the republic, its Chief Executive had died in office. As rapidly as possible, Tyler hastened to Washington, took the oath of office as President, — thus creating a precedent for similar situations in the future, — requested the cabinet members to retain their portfolios, and made it entirely clear that he intended to seize full authority. He then issued a conciliatory message, announcing his intention of conforming to the policies of the Whig Party. He and Webster had a conference in which Tyler expressed his confidence in the Secretary of State.

Henry Clay, incurably autocratic, had never doubted that he was to be the master spirit of the first Whig administration.

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[1] Adams, X, 456. For a reproduction of an interesting lithograph showing the deathbed of Harrison, with Webster most conspicuous among the mourners, see Shaw, *Abraham Lincoln, His Path to the Presidency*, I, 97.

Even the mild-mannered Harrison, who owed much to Clay, had resented the latter's dictatorial attitude, had notified him to make his communications in writing, and had actually reprimanded him on one occasion with the words, "Mr. Clay, you forget that I am the President." Webster had not been displeased at this manifestation of Harrison's independence,[1] and Clay had been discomfited, but not silenced, by the President's intimation of his wish to be left alone.

When Tyler became Chief Executive, Clay recognized that it would be necessary sooner or later for him either to break with the administration or to force it to do his will. The story of the efforts of Clay and his satellites to "head Captain Tyler" has been told in biographies of both men. The Whigs grossly underestimated Tyler's strength of character, and Henry Clay eventually discovered that he had met his match.

As soon as the Special Session opened, Clay outlined his programme to the Senate under six heads, on no one of which Tyler had been consulted. With little difficulty, a bill repealing the Independent Treasury was passed and signed by the President. The next step was the establishment of a United States Bank, and a measure was prepared which did not meet with Tyler's approval. He was firm in his belief that no act of that kind would be constitutional which did not provide for the specific consent of each state to the operation of the bank within its own jurisdiction. Clay, although informed of Tyler's objections, would not yield; and Tyler, taking up the gage of battle thus thrown down to him, returned the bill with his veto. The two men were now openly at odds. The President had virtually told Senator Clay to mind his own business, and Clay, in his turn, boasted that he would drive Tyler before him. As for Webster, however much he wished for a National Bank, he regarded Tyler as the head of the Whig Party, whose scruples should not be ignored. If it was to be a political duel, Webster was on the side of Tyler.

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[1] Even Webster had not always been able to have his way with Harrison, who once declined summarily to appoint one of Webster's friends, General James Wilson, of New Hampshire, as Governor of Iowa Territory. (Poore, I, 258.)

There being no possibility of overriding the presidential veto, Clay, angry though he was, was forced to draft another measure. Tyler refused to bind himself in any way, but he did authorize Webster and Ewing to meet with Senator Berrien and Representative John Sergeant to discuss the matter, without pledging him to any agreement. After this consultation, Webster sent a note to Tyler stating that certain alterations which he had proposed had been assented to, but adding, "I have done or said nothing as from you or by your authority, or implicating you in the slightest degree."[1] The President felt that the changes were "of no moment" and sent a warning to several members of Congress that he was far from being satisfied. He even went so far as to phrase an amendment which would have salved his conscience. In spite of this, Clay insisted on driving the Fiscal Corporation plan through both houses, and it was sent up to Tyler in early September.

Webster, meanwhile, was greatly troubled. He liked John Tyler, and he considered that Clay's arbitrary methods were disrupting the Whig Party in the very hour of its triumph. He knew how much the President had been enraged by the publication of the "coffee-house letter" of the irresponsible Congressman John M. Botts, in which the latter had said, "Our Captain Tyler is making a desperate effort to set himself up with the *loco-focos;* but he 'll be headed yet, and, I regret to say, it will end badly for him."[2] From the minute that the proud and sensitive Tyler saw Botts's letter, Clay's hopes were doomed. On August 22, Webster wrote: "The President is agitated. Mr. Clay's speech, and Mr. Botts's most extraordinary letter, have much affected him."[3] Six days later, he wrote to his wife, "There is now a breach between the President and Mr. Clay, which it is not probable can ever be healed."[4] Webster even appealed to the Massachusetts Senators, Bates and Choate, to help in postponing the Bank legislation until the next session, and added, "A decisive rebuke ought, in my judgment, to be given to the intimation, from whatever quarter, of a disposition among the Whigs to embarrass the President."[1] As the crisis drew nearer, Webster left no doubt as to where he stood.

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[1] National Edition, XVI, 354.

[2] Tyler, *Letters and Times of the Tylers,* II, 112. Botts went on to say of Tyler, "He has refused to listen to the admonitions and entreaties of his best friends, and looked only to the whisperings of ambitious and designing mischief makers who have collected around him."

[3] Webster to Ketchum, August 22, 1841 (National Edition, XVIII, 109).

[4] National Edition, XVIII, 109–10.

Nothing, however, could restrain Clay's imperious will. He would not retreat, and Tyler had been so harried that he would listen to no compromises. The President took his Secretary of State fully into his confidence. On September 7, Webster and Caleb Cushing — the administration's most influential supporter in the House of Representatives — dined at the White House, and, on the following evening, Tyler and Cushing were the guests of Webster. No one betrayed what took place at these conferences, but, on September 9, the President sent the Fiscal Corporation Act back to Congress with his veto, and the truce was over.

On that same Thursday evening, while gossipy tongues were chattering about the veto, Badger invited the cabinet to dinner. Webster attended, but, after detecting that a plan was afoot for him and his associates to meet with Clay, he retired. The others remained to carry through their conspiracy and, on Saturday, acting under Clay's dictation, four members of the cabinet — Badger, Bell, Crittenden, and Ewing — sent in their resignations. Granger, who had hesitated, eventually followed them, and Webster was left alone. When he had learned of the plot, Webster had called a meeting of the Massachusetts delegation at his house on the evening of September 10 — a gathering the proceedings of which were accurately recorded by Adams in his journal.

In Webster's soul many motives were struggling. His new house had just been refurnished, and he was looking forward to a delightful social season in Washington. He had already made plans which might conceivably lead to an adjustment of all our difficulties with Great Britain, and which he naturally did not wish to abandon. He felt, furthermore, that his colleagues, in proffering their resignations without "reasonable notice," had acted unfairly towards the President. At the same time, Webster did not wish to disrupt the Whig Party, and he was aware that his decision would determine the conduct of many of his adherents.

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[1] National Edition, XVI, 354 ff. This interesting statement was first published, with Webster's sanction, in the *National Intelligencer* for August 25, 1841, at a moment when the Fiscal Corporation Bill had passed the House and was being debated in the Senate.

After listening to Webster's story, the Massachusetts delegation agreed unanimously that he would not be justified in resigning; but, as Adams confessed, they feared "that the hour for the requiem of the Whig Party was at hand."[1] Late on Saturday afternoon took place that dramatic scene so vividly recorded by John Tyler, Jr., the President's secretary. Webster, who was in Tyler's office when Ewing's resignation arrived, begged leave to have it entrusted to him for a few minutes, and withdrew for a conference with Ewing, hoping that he might persuade him to reconsider. Finding him obdurate, Webster returned, and, handing the letter in silence to Tyler, waited as if in profound thought and finally, in his deep-toned voice, asked, "Where am I to go, Mr. President?" "You must decide that for yourself, Mr. Webster," was the reply. The Secretary of State hesitated, and then answered, "If you leave it to me, Mr. President, I will stay where I am." At this, Tyler, rising from his chair, extended his arm to Webster, and, much relieved, said, "Give me your hand on that, and now I will say to you that Henry Clay is a doomed man."[2]

With the sudden resignation of five out of six members of the cabinet, the break in the party could not be averted. Some sixty Whig Congressmen, meeting on Monday, September 13, adopted what was known as the "Whig Manifesto," in which they coolly proscribed the President; and the denunciation which burst upon Tyler's head was almost unparalleled in

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[1] Adams, XI, 14.

[2] Tyler, II, 122. Of Tyler's desire to retain Webster there can be no doubt, although Lyon G. Tyler shows that the President had been urged to let Webster go by sending him as Minister to England.

American politics. Stigmatized as a renegade and a traitor, he was declared unworthy to remain in the White House, and there was vague talk of impeaching him. A few of the Whigs, including Webster, and a "Corporal's Guard" in the House of Representatives — led by Caleb Cushing, Webster's intimate friend, and Henry A. Wise, of Virginia — attempted to moderate the clamor. Cushing, in a pamphlet addressed to his constituents, exculpated Tyler, praised Webster for refusing to resign, and severely censured Clay. But the Whigs were in no mood to listen to temperate language. Cast off by the leaders of the party which had elected him, the President filled his cabinet with what he described as "original Jackson men"; but he was not welcomed by the Democrats, and was soon deserted by all except a small group of loyal friends. In this exigency, however, he conducted himself with dignity, and unprejudiced historians have now agreed that his veto of the two bank bills was for the good of the country.

Outwardly calm, Webster viewed these events with apprehension. "We have an anxious & unhappy time," he wrote on August 16, "& I am sometimes heart-sick."[1] Emerson, seeing him on the street in October, found him changed, "black as a thunder-cloud, and careworn."[2] Through no fault of his own, he was now isolated from the Whig leaders and in nominal alliance with a chief executive of Democratic traditions. But the people, whether Whig or Democratic, acknowledged Webster's patriotism and sense of duty, and he was thus enabled to carry out his foreign policy to a successful conclusion. Probably no man but him could have sustained himself as Secretary of State during the ensuing months.

Webster's chief diplomatic difficulties arose from the peculiar structure of our political organization which permitted a state, in certain contingencies, virtually to nullify the plans of the Federal Government. Out of this situation developed the McLeod Case, so fraught with sinister hazards, in which a drunken braggart, by his indiscretion, brought two supposedly intelligent countries to the brink of war. The lives of thousands of young Anglo-Saxons might have been sacrificed because Alexander McLeod, a vainglorious Canadian, entered the state of New York in November 1840 and, in his bibulous conceit, boasted that, at the time of the *Caroline* affair three years before, he had fired the shot which had killed Durfree, a United States citizen. As McLeod had openly confessed to a crime, the authorities could do nothing but arrest him and indict him for murder.[1] The incident at once assumed international importance.

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[1] Webster to Mrs. Webster (National Edition, XVI, 353).

[2] Emerson's *Journals*, VI, 91–92. Entry for October 14, 1841.

It was a matter which required tactful handling, for Webster had to deal not only with England but also with the State of New York, which was insistent on its rights. The protagonists in the drama, besides McLeod and Webster, were Henry James Fox, British Minister in Washington, and Governor William H. Seward, of New York. The first important document which the Secretary of State was called upon to consider was a note from Fox, dated March 12, informing him that the seizure of the *Caroline* had been a transaction "of a public character" and demanding McLeod's release on the ground that the latter had been engaged in "an act of public duty,"[2] for which he could not be made individually answerable to any foreign power. That the Government had avowed the destruction of the *Caroline* and accepted responsibility for it had been made known to the Van Buren administration as early as January 1838, but Forsyth, then Secretary of State, had adopted a policy of procrastination.

Later, when Fox had insisted on McLeod's release, Forsyth had confessed that the United States could not legally interfere with the New York courts.

As soon as Webster had consulted with Harrison, he commissioned Congressman Millard Fillmore to interview Governor

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[1] McLeod was arrested on November 12, 1840, at Lewiston, indicted in the following February for murder at the Niagara General Session, and placed in the Lockport jail for trial. When an attempt was made in January to bail him out, several hundred citizens met and insisted that he should not be liberated.

[2] National Edition, IX, 122. Webster's Speech in the Senate, April 6 and 7, 1846, gives a full history of the affair, based on official records.

Seward and devise some plan for having McLeod released.[1] At this time, Webster had good reason for believing that a refusal to discharge McLeod would be regarded by Great Britain as a *casus belli*. On March 15, Crittenden, the Attorney-General, proceeded to Albany, under instructions from Webster, for a consultation with Seward, in the hope that when the latter was acquainted with the critical condition of affairs he might direct a *nolle prosequi* to be entered. Meanwhile, having heard that Seward had expressed a willingness to authorize a *nolle prosequi*, Webster sent the Governor a note of thanks. It turned out, however, that Webster's gratitude had been premature. Seward, jealous of the prerogatives of his sovereign state, rejected all these overtures, and replied to Webster denying his intention of setting McLeod free. He did, however, assure Crittenden that there was indisputable evidence of McLeod's innocence, and that, if the latter was convicted, the authority of the Governor would be exerted to prevent the carrying out of the death penalty. This, though reassuring, did not altogether relieve Webster's anxiety.

Such, then, was the situation when Tyler acceded to the Presidency. Writing reminiscently in 1846, Tyler said to Webster: "The peace of the Country when I reached Washington, on the 6th day of April, 1841, was suspended by a thread, but we converted that thread into a chain cable of sufficient strength to render that peace secure, and to enable the Country to weather the storms of faction by which it was in every direction assailed."[2] Palmerston informed Stevenson, our Minister at the Court of St. James's, that McLeod's execution would be followed by war; and General Cass warned Webster that the British fleet had been ordered to get ready for possible mobilization.[3] Meanwhile, Webster sent to Fox a detailed answer, covering all phases of the question and presenting a vigorous defense of the American position.[4]

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[1] Seward to Blatchford, March 23, 1846, printed in Van Tyne, p. 331 ff. This letter is a guarded presentation of Seward's point of view and a defense of his conduct.

[2] Van Tyne, pp. 310–11. See also Tyler, II, 394.

[3] Curtis, II, 62.

[4] Webster to Fox, April 24, 1841 (National Edition, XI, 250–66).

The trial of McLeod had been originally scheduled for May, but Webster arranged to have John C. Spencer, United States District Attorney for Western New York, appear for the prisoner, and an application was made at once for a writ of habeas corpus. Under Seward's direction, the Attorney-General of the state resisted the motion, and the New York Supreme Court, in a decision which was attacked not only by Webster,[1] but by Chancellor Kent and other eminent jurists,[2] refused to grant the application. McLeod then chose a jury trial instead of an appeal to the United States Supreme Court, and a change of venue was made to Utica, in October. Seward, meanwhile, had protested vigorously to Tyler against the retaining of Spencer, who had formerly been Secretary of State in New York, as counsel for McLeod.[3]

To Webster, aware that any hour might precipitate a crisis, the position assumed by the New York authorities was inexcusable, but there was no legal way by which he could bend them to his will. He was no longer afraid that McLeod would be convicted, but he had other apprehensions. Writing to Tyler in July, he said: "It becomes us to take all possible care that no personal violence be used on McLeod. If a mob should kill him, War w'd be inevitable, in ten days. Of this there is no doubt."[4] Webster's agents kept him informed of the tremendous excitement prevailing along the Canadian border, and he sent General Winfield Scott to protect the prisoner. When the trial was held, Utica was full of strangers, including Mackenzie and other Canadian agitators, but no demonstration was attempted. Several witnesses testified that McLeod was not one of the party which seized the *Caroline*, and he himself produced a satisfactory alibi.[5] On October 12, he was acquitted by the jury, and the tension was over. McLeod, escorted by an armed guard, was taken to the frontier and went from there to Montreal, where he was welcomed by a cheering throng. He then relapsed into the obscurity from which he had come. Webster, greatly relieved, took a vacation at Marshfield, leaving his son, Fletcher, to act as Secretary of State.[1]

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[1] Webster wrote Story, July 16, 1842, describing the opinion of Judge Esek Cowen, of the New York Supreme Court, as "hollow, false, & almost dishonest from beginning to end," but adding, "The cause will now go to trial, & as there is little doubt, McLeod will be acquitted." (National Edition, XVI, 379.)

[2] Kent to Webster, December 21, 1842 (*Ibid.*, XVIII, 160).

[3] Tyler, II, 208 ff.

[4] National Edition, XVI, 344.

[5] The case was fully reported in Gould's *Stenographic Reporter*, II, 1841, as well as in Niles's *Register*, LXI, 104–8, 119–28, 187–91. See also Adams, XI, 26–27.

In order to avert another similar conflict between a state and the Federal Government, Webster, at the request of Berrien, Chairman of the Senate Judiciary Committee, drafted a bill giving federal justices specific power to issue writs of habeas corpus and to discharge from custody any person accused of an unlawful act proved to have been committed under the instructions of a foreign country. The debate on this measure occasioned one of Rufus Choate's most eloquent political speeches, delivered in May 1842.[2] The act was passed by Congress on August 29, and received the President's signature.

The McLeod incident had its thrills, but it was really but the prologue to the main drama. While its closing scene was being enacted, the stage was being set and the characters costumed for the chief performance. The Whig ministry of Lord Melbourne fell in the autumn of 1841 and was succeeded in September by that of a Conservative, Sir Robert Peel. As a consequence, the chauvinistic and pugnacious Palmerston was superseded as Foreign Secretary by the more cautious Lord Aberdeen. Peel's cabinet, called by Marriott "perhaps the most brilliant of the nineteenth century," included the Duke of Wellington, Lord Lyndhurst, Lord Stanley, and Sir James Graham. Webster, during his visit to England, had met most of them, and was sure that they would adopt a conciliatory policy towards the United States.

In the summer of 1841, Webster notified Edward Everett, then in Italy, that Tyler had nominated him as Stevenson's successor at the Court of St. James's. There was much opposition in the Senate to this selection, chiefly on the ground that

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[1] Adams, XI, 28.

[2] Fuess, *Rufus Choate*, pp. 107–10. During the summer of 1841, Webster's policy, criticized by Democrats like Buchanan and Benton, was defended earnestly by Choate in the Senate and Caleb Cushing in the House.

Everett had voted for the abolition of slavery in the District of Columbia; but good sense in the end prevailed, and Everett was confirmed. He at once proceeded to London, where he was received on November 20 by Lord Aberdeen, who greeted him "with great ease and courtesy" and expressed satisfaction at McLeod's acquittal.[1] Stevenson had been a man of no great ability and little tact, but Everett, who had made an especial study of the Northeastern Boundary question, was to be of great assistance to the Department of State during the delicate negotiations of the next few months.

Webster was ambitious to settle permanently the existing causes of dispute between the United States and Great Britain. The boundary controversy had lingered along for years, each disputant claiming everything and conceding nothing. The hour had now come for new methods and a frank facing of the points at issue. As soon as he took over the Department of State, Webster suggested to Fox that the United States was ready to discuss a conventional or arbitrary boundary line as a possible adjustment. The Melbourne ministry, then tottering to its fall, was not disposed to trouble itself with such an important proposal, and Lord Aberdeen found the whole question pending when he sat down at his desk in the Foreign Office. On the day after Christmas, 1841, Aberdeen notified Everett that the government was planning to send Lord Ashburton on a special mission to Washington, with full authority to conduct negotiations. Webster wrote to Everett, "The special mission was a surprise to us; but the country receives it very well."[2]

No selection could have been more agreeable to Webster. Eight years Webster's senior, Lord Ashburton had been since 1810 the head of the great banking house of Baring Brothers. His marriage with the eldest daughter of the wealthy and socially prominent Senator Bingham, of Philadelphia, had cemented his friendly relations with the United States. He was recognized in England as a man of pure character and noble motives. In appearance he was about Webster's height, rather stocky, with dark eyes, under bushy eyebrows, and a ruddy complexion.[1] Webster, meeting him in England, had been attracted by his gracious manner and had found in him a congenial spirit. Temperamentally and intellectually the two men were not unlike, and they had many similar interests. Two weeks before Ashburton's arrival in the United States, Webster, speaking to Hone of the complicated questions to be adjusted between the two countries, said, "with the volcanic fire flashing from out of the caverns of his dark eyelashes," "They will be settled if they will give me a fair chance!"[2]

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[1] Frothingham, *Edward Everett*, p. 188. Everett described Aberdeen as "about fifty-three years of age, of middle stature, slightly, — very slightly, — lame with one leg." Aberdeen had a rather cold exterior, and was formal in his manner and scholarly in his habits.

[2] Webster to Everett, January 29, 1824 (National Edition, XVIII, 114).

Landing at Annapolis from the battleship *Warspite*, Lord Ashburton was presented to the President on April 6. Webster had thoughtfully rented for him the Clarke House at 1525 H Street,[3] on Lafayette Square, only a few doors from the Webster residence. The coming of the Ashburton party was the signal for a round of dinners and social entertainments which made Washington very gay.[4] Webster, an admirable host, at whose table guests were served with the most delectable of American dishes, had a rival in the genial Englishman, whose hospitality was unbounded. The progress of the diplomatic negotiations was unquestionably furthered by social contacts between Lord Ashburton and official Washington. After a series of informal conferences, he and Webster reached a general understanding as to what could be accomplished, and it was then not difficult to arrange the details. Webster was soon able to assure Justice Story that Lord Ashburton was "quite well disposed, & altogether master of the subjects committed to his care."[5]

As in the McLeod case, Webster had to deal not only with a foreign country but also with domestic sensitiveness and obstinacy, for nothing could be accomplished without the acquiescence of Maine and Massachusetts. Chance, however, had provided him with a means of bringing pressure to bear on Maine. Jared Sparks, the historical scholar, had discovered in the French archives one of D'Anville's maps of North America, about eighteen inches square, dated 1746, on which was drawn a "strong red line," indicating the boundary between the other colonies and Canada. Sparks had previously come across a letter, dated December 6, 1782, from Franklin to the Count de Vergennes, in which the former said that he was returning a map on which he had placed a "strong red line" to indicate the limits of the United States as "settled in the preliminaries between the British and American plenipotentiaries."[1] Not unnaturally, Sparks arrived at the conclusion that the map in question was probably the one referred to by Franklin. Unfortunately, a casual inspection disclosed the fact that the "strong red line" set off as British territory even more than Great Britain had ever demanded, including land wholly south of the St. John River and between its headwaters and those of the Penobscot and the Kennebec. If this was really Franklin's map, the American claim had historically little to sustain it.

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[1] Poore, I, 285.

[2] Hone, II, 121.

[3] This house is still standing (1930). The rental price in 1842 was $12,000 for ten months (Poore, I, 284).

[4] In his *Diary*, John Quincy Adams records dining with Ashburton at Mr. Webster's, at Mrs. Madison's, and at the White House, and there were many other large and elaborate dinners given for the British guests.

[5] National Edition, XVI, 369.

Webster, no novice in diplomacy, saw at once the strategical importance of this discovery, and, soon after Lord Ashburton's arrival, wrote to Governor Davis, of Massachusetts, and Governor Fairfield, of Maine, explaining the situation, telling them that Ashburton had announced that he had authority to treat for a "line by agreement," and requesting the two states to concur in this plan and dispatch commissioners to Washington. Webster's letter was a masterpiece of candor and tact. In the spring, Webster made a "flying visit" to Massachusetts, and, on May 14, he conferred with Sparks, Jeremiah Mason, and Judge Sprague, in Boston, at the home of James W. Paige.[2] Sparks was instructed to proceed at once

[1] Herbert B. Adams, *Life and Writings of Jared Sparks*, II, 393 ff.

[2] *Ibid.*, p. 400.

to Augusta, taking with him a copy of the "red line map" for Governor Fairfield's inspection. He was accompanied by Judge Sprague, who was discreetly to sound the sentiment of the Legislature. The disclosure of the map was sufficient to persuade Fairfield to recommend the sending of commissioners, and the Maine Legislature passed the necessary act. The men selected by the Governor were Edward Kavanagh, Edward Kent, William P. Preble, and John Otis. When Webster heard this news, he hastened to the President and cried, "The crisis is past!" It has been alleged that Webster was guilty of deceit in withholding the "red line map"; but the negotiators had distinctly agreed to avoid all technical discussion. When Ashburton returned to England, the British press took up the question whether Webster was bound in honor to damage his own case by telling all, and Ashburton wrote, "My own opinion is that in this respect no reproach can fairly be made."

On his trip north, Webster had an interview with Governor Davis and found little difficulty in getting the Massachusetts General Court to consent to the naming of commissioners, and three were soon appointed — Abbott Lawrence, John Mills, and Charles Allen. So far, everything had gone smoothly. But the Maine commissioners had been directed to hold fast to their conception of the line of 1783 and had been warned that no section of territory within what they claimed to be the limits of their state could be accepted from the British as an equivalent for other portions yielded to Great Britain. The prospect of a satisfactory bargain with Maine did not look altogether rosy. But on the day after the Maine commissioners reached the capital, Webster wrote Everett that they seemed disposed "to accomplish the object of their appointment." He added, however, that the important matter was to discover what would be regarded by them "in the light of equivalents."[1]

When these obstacles had been removed, negotiations were begun in an informal way, without protocols, all the open letters being written by agreement between the parties. Much of the secret history of the proceedings will never be known.[1] New sources of irritation arose from week to week, as Webster and Lord Ashburton sat sweltering over their papers through the heat of a Washington spring and summer. Upon what Benton later styled "Black Friday," — June 17, 1842, — the interchange commenced with a statement by Webster that he was authorized to treat for a "conventional line." On the following day, Ashburton, under specific instructions from his government, indicated a boundary to which England would agree, and, in return for certain concessions to Great Britain, offered not only a line which would place Rouses Point in the United States, but also the free navigation of the St. John River.[2]

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[1] Webster to Everett, June 14, 1842 (National Edition, XVI, 374–75). In this letter, Webster said, underlining his words, "I must tell you, in particular confidence, that I hope you will forbear to press the search after maps in England or elsewhere."

The Maine commissioners now refused to grant to England any land south or west of the St. John. Webster, usually optimistic, was at last discouraged. Lord Ashburton, no longer young, was feeling the strain of the sultry weather, and confessed that he passed his nights "in a sleepless fever." It was difficult for him to understand " how the representatives of a state could block the plans of the nation."[3] Webster wrote Everett that, although he had hoped to complete the negotiations at an earlier date, he now felt that their movement was retrogressive. "The boundary business is by no means in a highly promising state," he admitted, "so many obstacles arise, not only between us and England, but between us and the Commissioners, and the Commissioners of the two States themselves; and other questions are still less so."[4]

At this very dark hour the sky brightened. President Tyler made an appeal to Lord Ashburton to persevere, and the latter answered, "Well! Well! Mr. President, we must try again."[1] Aberdeen wisely modified his first rigid instructions and allowed Ashburton to accept a line not less favorable to England than that fixed by the King of the Netherlands ten years before. What went on behind closed doors can only be surmised, but Webster and Ashburton finally agreed upon an arbitrary boundary, leaving in the hands of Great Britain a strip of land east of the St. Lawrence which, in the possession of the United States, might have been a military menace to Canada, and which would permit the British to maintain highway communication between Quebec and New Brunswick. Roughly speaking, the United States was to obtain seven thousand of the twelve thousand square miles under dispute — less by six hundred square miles than we should have received under the award of the King of the Netherlands, which Congress declined to accept.

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[1] Webster employed special agents to influence public opinion in Maine through newspaper propaganda and interviews with legislators at Augusta. The full extent to which this practice was followed was not disclosed at the time, and most of the evidence has disappeared.

[2] Misled by an erroneous survey, the United States had erected a fort at Rouses Point on land which, as was later shown by a more accurate study, was really part of Canada. Thus England was able to use Rouses Point as a bait to the United States for accepting a compromise line.

[3] See Curtis, II, 113, for notes from Ashburton to Webster indicating in a half-humorous way his exasperation at the turn which affairs had taken.

[4] Webster to Everett, June 28, 1842 (National Edition, XVI, 375).

Webster knew that Maine would not accede to this arrangement unless some compensation were offered. He therefore proposed that the United States should pay to Maine and Massachusetts $125,000 each and should also reimburse Maine for expenses incurred in calling out the militia in 1839 for the protection of the disputed area and for the survey which it was necessary for her to make. While admitting that the settlement did not secure all the American claim, he insisted that no further concessions could be expected from England; and he made a stirring appeal to the patriotism of the two states.[2] In a few days, the commissioners involved accepted the plan of adjustment, although not without a final protest from Maine.[3] Lord Ashburton objected mildly to inserting in the treaty the stipulation for payments to Massachusetts and Maine, but, at the urgent request of Webster, he yielded.[4] As an illustration of nineteenth-century diplomacy, it may be mentioned that Ashburton had been given authority to make a pecuniary allowance to Maine, but did not feel constrained to disclose this fact to Webster.

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[1] Tyler, II, 218.

[2] National Edition, XI, 276 ff.

[3] Maine Commissioners to Webster, July 20, 1842. See Reeves, *American Diplomacy under Tyler and Polk*, pp. 52–53.

[4] Ashburton to Webster, August 9, 1842 (National Edition, XI, 289).

When this minor crisis was passed, the negotiators carried the boundary line through the Great Lakes to the Lake of the Woods, leaving the whole Oregon question to be taken up later. The problem of the northwestern frontier was complicated by Tyler's eagerness to acquire from Mexico six degrees of territory south of the forty-second parallel; and Webster, who was personally much opposed to an expansion to the Southwest, was very glad to drop the subject.

Thus, by the exercise of tact and patience, as well as strategic skill, Webster reached an arrangement by which no one of the parties could feel shabbily treated. He himself regarded the securing of the coöperation of the two states as the decisive factor in the negotiations.[1] Sparks later declared that the Maine commissioners would certainly not have accepted the treaty if they had not seen the "red line map."[2]

With this ticklish boundary question adjusted, Webster and Lord Ashburton proceeded confidently to other controversial matters. The question of the *Caroline* was part of the agenda. Palmerston had defiantly announced that Great Britain would never apologize for the destruction of that vessel; and Lord Aberdeen, following his predecessor's policy, pleaded self-defense as an explanation of the Canadian attack on a ship belonging to citizens of a friendly power. Webster, in his turn, stressed the violation of our territorial sovereignty. Some correspondence on the subject drew from Ashburton an admission that Webster was correct in his interpretation of international law; and the latter's persuasive arguments induced the British envoy to say, "Looking back to what passed, at this distance of time, what is, perhaps, most to be regretted is that some explanation and apology for this occurrence was not immediately made."[1] Seizing upon the vital word "apology," — which the Secretary of State declared it took him two days to bring Lord Ashburton to use, — Webster closed the matter through a note in which he said that the President, in response to the admission "that an explanation and apology for this violation was due at the time," was ready to receive these acknowledgments and assurances "in the conciliatory spirit which marks your Lordship's letter."[2]

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[1] Webster wrote to Sparks, March 1, 1843: "The grand stroke was to get the *previous* consent of Maine and Massachusetts. Nobody else had attempted this; it had occurred to nobody else; it was a movement of great delicacy, and of very doubtful result. But it was made, with how much skill and judgment in the manner, you must judge; and it succeeded, and to this success the fortunate result of the whole negotiation is to be attributed." (H. B. Adams, *Sparks*, II, 403.)

[2] Sparks to Folsom, June 2, 1843.

Certain delicate problems arising from the existence of slavery seemed at times liable to cause trouble. Our government, traditionally averse to admitting that foreign nations possessed the "right of search," had refused to sanction the stopping on the high seas of American ships engaged in the slave trade. Inevitably citizens of other countries had protected themselves in this nefarious traffic by the simple device of raising the American flag. The situation was not a pleasant one for humane Americans to contemplate. The mere mention of negro servitude was, however, sufficient to goad Southern statesmen into a fury, and no one but a very courageous man ventured to introduce the subject on the floor of Congress.

Late in 1838, at the invitation of Great Britain, four other European powers — France, Prussia, Austria, and Russia — met at London and joined with her in signing what was known as the "Quintuple Treaty," under which each contracting party agreed that any vessel flying its flag but suspected of being engaged in the buying and selling of negroes might be stopped and searched by the warships of any of the others. The Van Buren administration was unresponsive to invitations to join the compact; and later, when Cass, our Minister to France, protested to Guizot against this treaty, his conduct was approved by Tyler. Webster did, however, present to Lord Ashburton the plan for a "Cruising Convention," by which the two Anglo-Saxon countries agreed to maintain off the African coast a fleet of not fewer than eighty guns for the suppression of the slave trade. It was a sensible method of approaching the problem, and an article embodying Webster's suggestions was inserted in the treaty eventually arranged by Ashburton and Webster for their respective governments. It is to be regretted that we soon ceased to carry out our part of the agreement and that the "Cruising Convention" was never really given a fair trial.

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[1] Ashburton to Webster, July 28, 1842 (National Edition, XI, 300).

[2] Webster to Ashburton, August 6, 1842 (*Ibid.*, p. 302).

Another issue arising from slavery was that precipitated by the case of the *Creole*, an American brig which, in the autumn of 1841, was *en route* from Hampton Roads to New Orleans, with a cargo of tobacco and more than a hundred slaves. The negroes mutinied, murdered some of the officers, and made for the British port of Nassau, where the local officials held nineteen of the conspirators but let the others go free. Webster vainly demanded the extradition of the negroes, and asked Lord Ashburton for damages. The latter, not being empowered to take up the matter, could do no more than promise that there should be, in the future, "no officious interference with the American vessels driven by accident or violence" into British West Indian harbors. There was some formal correspondence between Webster and Ashburton on the subject,[1] and, although nothing relating to it was included in the treaty, the interchange of opinions served to clear the atmosphere.[2]

Although Lord Ashburton would not commit his country to any policy on the treatment of slave ships such as the *Creole*, he did consent to introduce into the treaty an article providing for the enlargement of the number of offenses for which extradition might be asked from one country by the other. He did not wish, however, to recognize any relationship between master and slave, and refused to allow mutiny to be included in the list of specified crimes. On this point, Webster was obliged to yield.

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[1] See Webster's letter of August 1, 1842; Ashburton's reply on August 6; and Webster's final note on August 8. (National Edition, XI, 303 ff.)

[2] The *Creole* case was referred in 1853 to a Joint Claims Commission, and an umpire awarded to the United States the sum of $110,000, which Great Britain paid.

As the complicated negotiations drew to a close, Webster endeavored, not very hopefully, to discuss with Lord Ashburton the whole matter of impressment, but found him unauthorized to treat upon it. There was, of course, no reason for opening a diplomatic correspondence unless Great Britain was prepared to renounce her practices. Webster did, however, send to Lord Ashburton an important communication, summarizing the situation from the American viewpoint and stating emphatically "that the practice of impressing seamen from American vessels cannot hereafter be allowed to take place."[1] This was strong language, and, if Palmerston had been at the Foreign Office, it would doubtless have elicited from him a vigorous protest. But Ashburton replied courteously, pointing out that no controversy was likely to arise in times of peace and expressing a wish that a satisfactory agreement might be effected. It was a conventional letter, saying very little and committing the British Government to nothing. But since the date of Webster's vigorous announcement, the United States has not been troubled by impressment; and his declaration that "in every regularly-documented merchant vessel the crew who navigate it will find their protection in the flag which is over them" has been defended by the United States as sound doctrine and tacitly approved by the other nations of the world.

Everybody was happy to see the conferences nearing an end. Webster gave on July 23 an elaborate dinner, at which the President, the cabinet, and the British representatives were present. Lord Ashburton toasted the President, with a complimentary reference to "Brother Jonathan"; and Webster in turn paid a felicitous tribute to the Queen and "John Bull." Tyler himself eulogized the commissioners from Maine and Massachusetts in the text, "Blessed are the peace-makers," and "tender speeches were made by the reconciled lovers."[2] Ashburton, almost worn out, wrote to Webster: "I congratulate you on the return of breathing weather. I really believe that if yesterday's had continued, I should not have lived to sign any treaty with you, which is now the great object, as it is likely to be the fifth act of my life."[1]

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[1] National Edition, XI, 318 ff.

[2] Hone, II, 140.

In the first week in August a mysterious emergency apparently made it necessary for Webster to consult certain papers in Portland, Maine. He went by train to Boston, but the railway from there to the north was not entirely completed; therefore the Old Eastern Stage Company was ordered to prepare for a "lightning journey," with changes of horses along the route. The "flying special" carrying the Secretary of State was drawn by four splendid steeds, and, as it bowled over the coastal highway, he was cheered at every hamlet. The famous ride was made at an average speed of sixteen miles an hour, and every record in stagecoach transportation between the two cities was broken.[2] In a few days, Webster was back in Washington. There was some question as to whether the various points should be brought up as separate conventions or as a single document. The latter plan was finally adopted, and the Treaty of Washington was signed by the contracting agents on August 9, 1842.

Two days later, the treaty was submitted to the Senate in a message signed by Tyler but written by Webster. Washington legislators were fretful at the close of a prolonged session, during which the Whig anger at the President had reached white heat. Nevertheless sentiment in favor of the treaty was strong, and, in spite of Benton's garrulous opposition, it was approved on August 20, by the decisive vote of 39 to 9. In notifying Jeremiah Mason, Webster confessed, "I did not look for a majority quite so large."[3] Tyler congratulated Webster, and Webster, in return, acknowledged generously his debt to the President for his "steady support and confidence." The administration had reason to be proud, for something really constructive in diplomacy had been accomplished. Webster declared, in 1846, with much truth, that there were not fifty respectable persons in Maine who would wish to see the treaty annulled.

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[1] Van Tyne, pp. 272–73.

[2] For a more detailed story of this famous ride, see the *Exeter News Letter*, March 29, 1929. I have been unable to ascertain the exact date or the precise motive of the journey.

[3] Webster to Mason, August 21, 1842 (National Edition, XVIII, 146).

After ratifications of the Treaty of Washington had been exchanged in London, Palmerston and the English Whigs opened fire on the Conservatives. It was alleged that the Peel cabinet had yielded on nearly every important point;[1] and Webster was charged with duplicity for withholding his knowledge of the "red line map" from Lord Ashburton. The debate which ensued brought out the astonishing fact that the cabinet had been shown by Sir Anthony Panizzi, Director of the British Museum, a so-called Mitchell map apparently used by Oswald, the British negotiator in 1782–83 at the Versailles Conference. On this map was a red line, marked in the handwriting of George III with the words, "Boundary as described by Mr. Oswald," and confirming all the original American claims. Palmerston had known of this map, so prejudicial to his cause, and had hidden it in the files at the Foreign Office, but neither Lord Aberdeen nor Lord Ashburton had heard of it. In view of the conflicting evidence, the solution by means of an arbitrary boundary was approved even in England. Palmerston's attack on Lord Ashburton accomplished nothing, except that the latter's supporters passed in Parliament resolutions of thanks for his success in negotiating a treaty "alike honorable and advantageous to each of the high contracting parties."

While Webster had been struggling with the Treaty of Washington, the Twenty-seventh Congress lingered in the capital. This session, opening on December 6, 1841, did not adjourn until August 31, 1842, thus covering a period of 269 days — the longest on record up to that time. It had been marked by wrangling and inefficiency; and finally the House chaplain caused a mild sensation by preaching from the text, "Why stand ye here all day idle?"[1] The public business was neglected while Southern Representatives tried to expel the venerable John Quincy Adams because of his insistence in presenting abolitionist petitions. An Exchequer Bill, embodying Tyler's ideas on a National Bank, was blocked by Clay. A poorly conceived measure styled the "Little Tariff" was passed by Congress, but rightly vetoed by the President in late June; and another permanent tariff bill, containing the same objectionable features, met a similar fate, in spite of Webster's plea that Tyler approve it in order to promote harmony.[2] Meanwhile day after day, in both the Senate and the House, orthodox Whigs vilified John Tyler. Never had a Chief Executive been more completely ostracized by the party which elected him.

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[1] See "Lord Ashburton and the Treaty of Washington," by E. D. Adams (*American Historical Review*, XVII, 764 ff.). Ashburton wrote Aberdeen, "Our cousin Jonathan is an aggressive, arrogant fellow in his manner," and admitted that "a treaty of conciliation with such a fellow, however considered by prudence or policy to be necessary, can in no case be very popular with the multitude."

Webster himself was paying a heavy penalty for his independence. Some of his warmest admirers were critical of his decision to remain in the cabinet, and many Whig newspapers joined in a systematic campaign to force his resignation. His enemies were utterly unscrupulous. Outrageous scandals about him were whispered from ear to ear; it was insinuated that he was guilty of public malfeasance and private immorality; and he suffered intensely from the slanders by which he was beset. He who had always abstained from personalities regarding others was now being accused of nearly every crime in the decalogue. His real emotions were expressed in a private letter to Everett, in which he said, "Party and personal rancor, recklessness, and animosity, seem to be making havoc of all just principles, all practical expediency, and all really patriotic feeling."[3]

There was striking demonstration of Tyler's unpopularity at a public dinner given by the merchants of New York City, on September 1, to Lord Ashburton. Webster, who had been urged to attend, had remained in Washington, thinking that it would not be courteous for him to be a conspicuous guest on an occasion when Lord Ashburton should be the chief figure. When a toast was announced to the President of the United States, not a person stood except Lord Ashburton and his suite; but, when the health of the Queen was proposed, everybody rose and gave three cheers.[1] The insult was reported in the press and resulted in meetings of protest on the part of Tyler's supporters. Even some of Webster's intimate friends reproached him for defending the administration, and Jeremiah Mason wrote: "I suppose you are aware of the estimation in which the President is held in this region. By the Whigs he is almost universally detested."[2]

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[1] Adams, *Memoirs*, XI, 218.

[2] Webster to Tyler, August 8, 1842 (National Edition, XVI, 381).

[3] Webster to Everett, May 31, 1842 (*Ibid.*, XVIII, 132).

It was, then, to a community almost openly hostile that Webster returned in early September. The snarling Adams noted that Webster had gone to Marshfield "to shoot snipes and fish for trout, and to patch up some shameful rents in his private finances,"[3] but what the Secretary of State needed most was peace after the stormy summer. He was not left long undisturbed. The Bay State Whigs, at their annual convention in Boston, on September 14, resolved on a "full and final separation" from Tyler and, in defiance of Webster's expressed wish that they should not commit the state to any presidential candidate,[4] nominated Henry Clay as their choice for 1845. Under the circumstances, this was a direct insult to Daniel Webster.

Normally slow to wrath, Webster, when aroused, was capable of a fierce, consuming anger. For months he had been patient under abuse, confident that his motives in remaining in the cabinet would eventually be understood. Now he learned that the Whig Convention, although praising him for the satisfactory conclusion of "the late treaty with Great Britain," had given him only tepid and grudging cheers; and he did not propose to be so easily ignored in his own city by the party which he had done so much to found. Without consulting him, the Whigs had taken a step which placed Webster in a most embarrassing situation, and it was clear that a plot was afoot to force him out of the administration. When that dark brow was furrowed and that grim mouth tightened, there was trouble ahead. Daniel Webster in a fighting mood was dangerous, a fury to be avoided.

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[1] Hone, II, 143. Webster wrote Fletcher Webster, "I was exceedingly mortified at the manner in which the President was treated at the Ashburton Dinner." (National Edition, XVI, 382.)

[2] *Ibid.*, XVIII, 149.

[3] Adams, *Memoirs*, XI, 249. Entry for September 6, 1842.

[4] National Edition, XVI, 389–90.

Early in September, a group of loyal adherents had asked for permission to give him a formal dinner, in recognition of his achievement in accomplishing the Ashburton Treaty. After hearing of the unexpected developments at the Whig Convention, Webster wrote Charles P. Curtis, saying that it would be quite impossible for him to discuss any national questions without offending people.[1] But when he was told that all the plans had been made, he consented to a meeting in Faneuil Hall, and sought the counsel of his friends as to what he ought to say.

On September 27, Lord Ashburton was received in Boston and paid a handsome tribute to Webster. The latter, however, was absent, having tactfully preferred to let the Englishman have all the honors. His own opportunity came three days later, on Friday, September 30, in the familiar auditorium where his voice had so often resounded. Before ten o'clock in the morning all the unreserved seats were occupied, and hundreds of people had been turned away. Reporters were present from New York and Philadelphia, and the throng was in an expectant mood, for the wildest rumors were afloat. The presiding officer, Mayor Jonathan Chapman, made an introductory speech, commending the Secretary of State for his diplomatic successes; and then Webster rose, dressed in the splendid fashion which he reserved for momentous occasions, and surveyed what was probably the most critical audience of his life.

On the platform by his side and in the benches before him sat dozens of his former allies, now stiffly upright, with disapproval on their countenances. Only a few days before, they had read, in the Boston *Atlas*, the editor's statement, "We say, then, most unreservedly, that we are not satisfied with Mr. Webster's position."[1] Within sound of Webster's words were the aristocracy of the city, men whose faithful representative he had been: the venerable unconverted Federalist, Harrison Gray Otis; his ancient rival and colleague at the bar, Jeremiah Mason; and Lowells, Quincys, Appletons, Shaws, and Blakes. Some of them had not seen him for months, but they had heard the gossip, and were afraid that their golden idol had feet of clay. As they sat there, rather frigid in their demeanor, they were wondering how Webster was to explain his conduct — for, in their opinion, it required palliation. Fortunately Webster, in robust health after his short vacation, was ready for the ordeal, and completely master of all his resources.

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[1] Webster to Curtis, September 15, 1842 (National Edition, XVI, 383).

There was some cheering as he stepped to the front of the platform, and his first sentence was almost inaudible. Then, in a manner which no one knew better how to employ, he began, referring to Boston as his "cherished home" and calling attention to his intimate associations with those around him. As he proceeded, the men whom he addressed were won by his magnetism, and they perceived what they had almost forgotten — that Webster was one of themselves and that it was their leader who had been assailed. The well-remembered voice rang through the hall, and they regained their confidence. Webster was still Webster, the peerless statesman who in their eyes could do no wrong!

Once having yielded to the charm, they were his once more. With dignity and modest pride, and not without generous praise of his chief, President Tyler, he reviewed the events of the preceding months in the Department of State. Then, with a sudden transition, he turned to his own anomalous position, not in defense, but in explanation. Drawing himself up and looking almost colossal, he said, in thrilling words: —

> I will give no pledges, I make no intimations, one way or the other;

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[1] Boston *Atlas*, September 26, 1842.

> and I will be as free, when this day closes, to act as duty calls, as I was when the dawn of this day —

At this point he was interrupted by spontaneous applause which shook the rafters of the building. By sheer audacity, he had converted coolness and hostility into enthusiasm. One of the audience remembered that his eyes "absolutely blazed" and looked "like two ship-lights at sea."

Having evoked the sympathy of his audience, Webster was ready to expound his motives and ideals. Those Whigs who had claimed to speak for him were "inconsiderate and hasty." In asserting his independence, he said: —

> I am a Whig, I have always been a Whig, and I always will be one; and if there are any who would turn me out of the pale of that communion, let them see who will get out first. I am a Massachusetts Whig, a Faneuil Hall Whig, having breathed this air for five-and-twenty years, and meaning to breathe it, as long as my life is spared.

Throughout his speech, Webster displayed a magnificent arrogance which showed him utterly fearless of consequences. He did not retreat a single inch. He refused to agree to "a full and final separation" between the Whig Party and the President, and he attributed all the trouble to the unwillingness of the Clay Whigs to meet Tyler's wishes on the question of the National Bank. He dwelt at some length on the substantial achievements of the administration and pointed out that other important objects still remained to be accomplished. In closing, he made an earnest appeal for "more moderation of party feeling," together with an "honest and general union of well-meaning men of all sides to uphold the institutions of the country and carry them forward."

More than once in his political career Webster rose above party considerations, but never more dramatically than in the autumn of 1842. Brought face to face with his accusers, he so impressed them with his devotion to duty that they left the hall believing that he had probably done right. John Quincy Adams confided to his *Diary* that the speech was "boastful, cunning, jesuitical, fawning, and insolent,"[1] but this has not been the verdict of history, nor did it represent contemporary opinion. The Boston *Courier* was more nearly correct when it described it as "frank, bold, manly, entirely free from anything that looks like affectation." Even the *Union* admitted that it was "an exceedingly ingenious speech, considering the difficult and dangerous position in which he was placed." A few days later, Webster wrote: "The Whigs will denounce me, of course, but I cannot help it. I was determined to do the President justice, and myself justice; and for the rest, I must be willing, as I am, to abide by the consequences."[2]

For some weeks, the newspaper criticism of Webster, although not eliminated, was less virulent than it had been, and there were signs that sentiment was changing. On November 4, in New York City, he was accorded a cordial reception in the City Hall. He declined a public banquet, but, in the evening, he was a guest at one of those intimate and convivial dinners which Philip Hone enjoyed so much and described so well. Twenty-four of his trusted friends sat down with him in a private dining room at the Astor House, where Charles A. Stetson, the proprietor, outdid himself in hospitality. Webster, in an expansive mood, was "full of anecdote and pleasant gossip," and, after the cloth was removed, began what Hone described as "a *talk*, not a *speech*, without rising from his seat, with no declamation, no oratorical or rhetorical ornament."[3] He gave a full history of all stages of the negotiation leading up to the Treaty of Washington, and, in concluding, declared that, in his judgment, it "was better for the people and for the Whigs to make the best of existing circumstances during the remainder of the present term of the President." The impression which he produced was that of a man trying to keep the peace until the next presidential election should be over.

The Whig Party, however, seemed irrevocably split.

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[1] Adams, *Memoirs*, XI, 256. Entry for October 1, 1842.

[2] Webster to Fletcher Webster, October 5, 1842 (National Edition, XVI, 384).

[3] Hone, II, 155–57.

Webster told his son, Fletcher, that he looked forward to the future "with great anxiety," and felt that the Whigs might never be reunited.[1] Massachusetts went Democratic in November, its gubernatorial candidate, Marcus Morton, leading his opponents by 1500 votes. Soon afterwards, Webster was back in Washington, much refreshed in body, but puzzled as to whether he should resign at once from the cabinet or remain for a few months more.

Webster's work as Secretary of State involved other matters of interest to the historian of international diplomacy. He had corresponded with the Spanish Minister during the final phases of the case of the *Amistad*, inherited from the Van Buren administration and arising out of the seizing by a United States warship of a Spanish vessel on which negro slaves had mutinied.[2] He had taken up with the Mexican Government the safety of certain American citizens captured during a Texan expedition to Santa Fé, and certain problems connected with the independence of Texas. He had asserted the policy of non-intervention in the Sandwich Islands and had declared in sonorous tones that "the government of the Sandwich Islands ought to be respected."[3] He even found time to arrange for the engraving of a new great seal for the Department, on which, through a careless oversight, only six instead of thirteen arrows were placed in the eagle's sinister talon.[4]

With Lewis Cass, American Minister to France, Webster had a controversy which at the time filled columns in the newspapers but which is now almost forgotten. The two men, both former students at Exeter, were temperamentally and politically far apart. Cass, a Democrat and Southern in his sympathies, took the extraordinary step of protesting against the Ashburton Treaty because it did not contain a specific abandonment by Great Britain of her claim to a right of search. He had already resigned his post for other reasons, involving his private affairs, but he did not hesitate to vent his criticism of the Treaty of Washington in a dispatch which was crowded with misstatements. Webster closed the correspondence in a masterly document, in which he commented on the irregularity of Cass's conduct, exposed the many weaknesses in the latter's arguments, and stated that the President was willing to leave the merits of the treaty to "the judgment of the country."[1] Cass's indiscreet outburst was simply another phase of the attack which Tyler was facing from nearly every political quarter.

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[1] National Edition, XVIII, 152. See also *Ibid.*, XVI, 386.

[2] Sears, *American Foreign Relations*, pp. 213–15.

[3] *The American Secretaries of State and Their Diplomacy*, V, 56.

[4] Hunt, *The Department of State*, p. 253.

Webster's position was becoming less and less tolerable. He had reassured his admirers by saying that he had remained in his department primarily to complete the agreement with England.[2] As soon as Congress passed the legislation necessary to put the treaty into operation, that excuse would be no longer valid. Doubtless there were in his mind many conflicting motives, some of them quite irreconcilable. But there was one factor which he could not ignore. From the moment when the cabinet inherited by Tyler was broken up, the President had been urged by his closest friends to let Webster go.[3] Tyler had been shrewd enough to recognize the gain which would accrue to his administration if he permitted Webster to carry through the negotiations with Lord Ashburton. That task, however, had been accomplished, and Tyler now had his eye on Texas.

Tyler, always eager to add Texas and even large portions of Mexico to our dominions, had been recently encouraged by the counsel of such widely different advisers as Andrew Jackson and Nicholas Biddle. He knew very well, furthermore, that Webster would not coöperate with him in this extension of our "manifest destiny." The Secretary of State, who had never been an imperialist, viewed with especial apprehension the addition of any large tract of territory out of which slave states could be carved. When a Texan agent suggested annexation in 1842, Webster turned him the cold shoulder; and he told Adams a year later that the acquisition of Texas "never could be effected by him or with his consent."[1] As Tyler pondered matters in his heart, he decided that Webster's usefulness to the administration was over and that the latter's resignation was essential if Texas was to be acquired. Webster, always sensitive, soon detected the change in Tyler's attitude, and looked about for a path of retreat which would satisfy his dignity and pride.

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[1] Webster to Cass, December 20, 1842. The entire correspondence is printed in National Edition, XII, 41–64.

[2] The bill putting the Treaty of Washington into effect was passed by the House on February 28, 1843, and by the Senate four days later.

[3] As early as August 29, 1841, Henry A. Wise wrote Tucker: "We can part friendly with Webster by sending him to England. Let us, for God's sake, get rid of him on the best terms we can." (Tyler, II, 90.)

Although the Oregon boundary had been left undetermined by the Treaty of Washington, both England and the United States were ready to make some adjustment of that troublesome question. Webster had never thought highly of the resources of Oregon, regarding it as "a poor country," but he did realize that some "comprehensive arrangement" concerning it and California was desirable. If this could be accomplished by his being sent to London, his road of escape would be clear, he could perform another patriotic service, and both he and the President would be happy. In the late autumn of 1842, little items began to appear in the newspapers intimating that Edward Everett might be transferred to Paris or take a seat in the Senate, and that Webster might succeed him. Whether or not these were inspired by Webster, they certainly did not displease him. Probably the matter had been discussed with Lord Ashburton, for the latter, just before sailing for home in early December, wrote that he confidently expected soon to see Webster "in the old world."[2]

Webster had been accustomed to obedience from his followers, Edward Everett, Rufus Choate, and Caleb Cushing, whose political prosperity was in a large degree dependent on his own. But he did not reckon on the fact that Everett, now grown great, was indisposed to accept dictation, especially when it involved his withdrawal from the Court of St. James's, which was most congenial to him. When the newspaper rumors came to Everett's notice, he was far from docile. In confidential letters to Cushing, he complained that he had not been consulted as to his own wishes, and added that, while he appreciated the "services & claims of Mr. Webster" and was willing to gratify him "in any reasonable desire," he could not himself be expected to bow gracefully to an edict which would displace him from his ministerial seat before he was hardly warm in it.[1] In his second missive, Everett wrote with what was for him unusual heat of emotion, predicting that the proposed change, if carried out, would not be for the benefit of the legation. Everett's perturbation was at once made known to Webster, who wisely declined to pursue the plan further.

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[1] Adams, *Memoirs*, XI, 347. Entry for March 25, 1843.

[2] Ashburton to Webster, December 3, 1842 (National Edition, XVIII, 157).

Meanwhile certain developments had taken place which enabled the Secretary of State to offer Everett a *quid pro quo* of an unusual and romantic kind. The possibility of effecting a trade treaty with China had been in the air for several years. Finally, on December 30, 1842, Tyler, yielding to pressure from various quarters, sent a Special Message, composed by Webster, recommending an appropriation for an American Commissioner to China. Through the Treaty of Nanking in the previous summer, Great Britain had obtained important commercial concessions, and the psychological moment had arrived for the United States to make her own arrangements. A bill prepared by John Quincy Adams, Chairman of the House Committee of Foreign Affairs, provided for an appropriation of $40,000, and was discussed in Congress through the winter.

In late January, 1843, Webster wrote Everett a long and very cleverly phrased letter, touching lightly on his own situation, but making it perfectly clear that he wished to go to London in some official capacity, either as a Special Minister or as Everett's successor, and holding up before the latter's eyes the alluring temptations of France or China.[2] With a candor which revealed his hope, Webster stated that the cabinet members, as well as Calhoun and his supporters, favored the Special Mission, and that the President might be governed by what Everett would say. Tyler did his part by entrusting to Caleb Cushing, who was still on the House Committee of Foreign Affairs, a confidential memorandum urging an appropriation for a "special and extraordinary mission to Great Britain."[1] The matter was brought before the Committee by Adams himself, who moved an amendment to the Civil and Diplomatic Appropriation Bill.[2] Webster's enemies, however, did not propose to place him in a position where he might regain his influence. Several members of the Committee were unenthusiastic, and, when a vote was taken, only three of the nine — Adams, Cushing, and Holmes — voted "aye." Webster was learning that

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[1] Everett to Cushing, September 3 and October 10, 1842. Printed in Fuess, *Caleb Cushing*, I, 400–402.

[2] Webster to Everett, January 29, 1843 (National Edition, XVI, 393–96).

> The best-laid schemes o' mice an' men
> Gang aft a-gley.

Nothing now remained but the Chinese Mission plan. On the last day of the session, Congress passed the measure after a spirited debate. That Webster's motives were not unsuspected was brought out by Benton, who said on the floor of the Senate: —

> The Chinese minister and his suite are to have $40,000; the gentleman who goes to London in place of Mr. Everett will have near $20,000. That gentleman is to be the Secretary of state; and thus near $60,000 are to be paid to get him to London! To get a gentleman to London whose name cannot be submitted to the Senate for that appointment.

As soon as the President signed the bill, he nominated Everett as Minister Plenipotentiary to China, and he was promptly confirmed, although the Senate at the same executive session rejected Wise as Minister to France and Cushing as Secretary of the Treasury.[3]

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[1] Adams, *Memoirs*, XI, 327. Entry for February 25, 1843.

[2] *Ibid.*, pp. 329–30. Entry for February 28, 1843. See also Fuess, *Caleb Cushing*, I, 411 ff.

[3] Adams, in his diary entry for March 4, 1843, recorded these events and commented, "If Everett declines the China mission, Webster can take it himself." (Adams, *Memoirs*, XI, 335.)

Webster now sent to Everett a long communication, notifying him of his appointment as Commissioner to China and disclaiming, somewhat disingenuously, any wish to supersede him at London. He dwelt on the pleasing features of the mission so far as financial compensation and distinction were concerned, and mentioned casually that Adams was eager to have Everett accept.[1] A day or two later, Webster begged Adams to send a letter to this effect to Everett, and Adams did so. But once again all Webster's labors were for naught. Everett, perfectly comfortable at London, had no intention of making a journey to a remote region of the earth. With grave politeness he notified Webster that family matters prevented his accepting the honor conferred upon him by the President. There being no method of ejecting Everett by force, Webster was obliged to submit to a will as determined as his own. Ultimately Caleb Cushing was rewarded for his faithfulness to Tyler by being given a recess appointment as Commissioner to China, and brought much credit to himself and Webster by successfully negotiating a commercial treaty with Peking.[2] Edward Everett remained undisturbed at the Court of St. James's until recalled by President Polk in 1845.

Webster's work in the cabinet was almost over. During the winter of 1842–43, he settled certain minor problems in our relations with Texas and Mexico, and was obliged to disavow the action of Commodore Jones, admiral of our Pacific squadron, in seizing the port of Monterey. Webster also took steps towards an arrangement by which Great Britain, on the understanding that she should have Oregon down to the mouth of the Columbia River, would consent to the cession to us by Mexico of a large portion of California, including the harbor of San Francisco.[3] But nothing came of this plan for adding to our territory, and Tyler became restlessly eager to secure Texas.

The time had come, furthermore, for Webster to return to some gainful occupation. His expenses for entertainment in Washington had been very heavy, and his professional income as a lawyer had, of course, dropped to nothing. Meanwhile his debts had piled up. In 1842, notes of his to the United States Bank were sold at absurd reductions from their face valuation,[1] and his impecuniosity had become a source of humorous gossip in hostile newspapers. Emerson, while noting that Webster was "very expensive, and always in debt," added that this weakness rather commended him, "as he is known to be generous, and his countrymen make for him the apology of Themistocles, that to keep treasure undiminished is the virtue of a cheat and not of a man."

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[1] National Edition, XVI, 398 ff.

[2] Fuess, *Caleb Cushing*, I, 397–454. Webster's last act as Secretary of State was the drafting of Cushing's instructions. (National Edition, XII, 146.)

[3] Adams, *Memoirs*, XI, 340, 344–47, 351. When he learned of this project, Adams wrote in his *Diary*, "Webster's political profligacy is gigantic."

In March, the *Madisonian*, the administration organ in Washington, published an item to the effect that the President had granted the Secretary of State "permission to retire," and Philip Hone drew an ironic picture of "Daniel Webster standing, cap in hand, before John Tyler, like a hard-pressed school-boy, asking from the pedagogue permission to *go out!*"[2] In early April, Nicholas Biddle sent Webster some excellent counsel, advising him to break definitely with both Tyler and the Locofocos and to notify the Whigs, at some public meeting, that he had come back to them.[3] Not until May 8, however, did Webster send in his formal resignation, which was accepted in gracefully turned phrases. Tyler said to him, "I do not mean to flatter you in saying that in conducting the most delicate and important negotiations you have manifested powers of intellect of the highest order, and in all things a true American heart."[4] Language like this was pleasing, but it did not altogether assuage the disappointment felt by Webster at relinquishing a position which had satisfied his ambition and provided him with an opportunity for constructive statesmanship. When he retired from office, he was a weary and disillusioned man.

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[1] Two notes of Webster's, one for $12,750 and one for $5,000, were auctioned off as United States Bank assets in 1842 for $400.

[2] Hone, II, 176–77.

[3] McGrane, *Biddle Correspondence*, pp. 348–50.

[4] National Edition, XVI, 405.

XXI

A STATESMAN IN RETIREMENT

Webster . . . alone does not disappoint the eye and ear, but is a fit figure in the landscape.

— Emerson, Diary, June 18, 1843

It is one consolation to me to know that always, from the beginning, I have opposed the scheme of Texan annexation with the whole of my ability.

— Webster, Speech at Springfield, September 29, 1847

Now well over sixty, he was being referred to by the younger generation as "old Webster." During certain periods of the summer he was troubled by hay fever; and he was annoyed intermittently by an intestinal ailment, which threatened to become chronic. Age and good living had made his step less elastic and had so slowed down his pace that strangers often thought him sluggish. Sometimes he was even caught nodding off to sleep at important consultations. Around his cinderous eyes the wrinkles were deepening, and the hair was receding from his noble brow. It was noticed that his speeches were longer than they had been and that he repeated himself with that garrulity which is a warning of decline. His uncertainty of temper was displayed when anything occurred to thwart his will. But dormant though he occasionally seemed to be, he needed only some stimulus to shake him from his lethargy. Then his glance would flash lightning, his voice would gather volume, and he would stand forth the Olympian Webster of American tradition.

For more than twenty years Webster had held political office, and it was a strange sensation to be a mere private citizen. There was a note of regret in his complaint to Mrs. Curtis, "Beggar that I am, I am even poor in franks."[1] For the moment he had no definite plans. Rufus Choate was eager to be relieved of his senatorial duties and return to his law practice, and his resignation would make it possible for Webster to resume his seat in the Senate. But Choate's term did not expire until March 1845, and Webster preferred, during the interim, to attend to his finances. He therefore accepted legal business sufficient to occupy his time and fill his empty purse. There was no difficulty in securing clients, and, as soon as he was free, he was deluged with retainers.

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[1] Webster to Mrs. Curtis, May 10, 1843 (National Edition, XVIII, 172).

After a public dinner in Baltimore and a few days among friends in New York, Webster went direct to Marshfield, where, with fishing for a diversion, he prepared himself for an oration which he had agreed to deliver at the completion of the Bunker Hill Monument on June 17. Like the dedication in 1825, it was a much heralded occasion. President Tyler and his entire cabinet had set out in early June for the North, thus invading a section where he had been an object of execration. The party reached Boston on June 16, in a "heavy, soaking rain," and were received even by the Democrats with a cold and formal courtesy. The storm, however, cleared away during the night, and Saturday morning dawned crisp and clear.

There was the usual procession, more than two miles in length, with the notabilities riding in carriages. The slope on the eastern side of the Monument was packed with benches reserved for ladies, and behind them a mass of humanity, numbering over one hundred thousand people, stood during the long programme. In front of the stage were one hundred and eight Revolutionary veterans, some of whom had been at Bunker Hill battle, as well as representatives from many patriotic societies. Webster himself was not in the parade, but went direct to the residence of Dr. Ellis, pastor of the Unitarian Church in Charlestown, where, before going to the platform, he filled up an old-fashioned tumbler with brandy and drank it off,[1] to the astonishment of his host.

It was not, perhaps, to be expected that Webster would equal his brilliant oration of eighteen years before, which had set a new standard for American occasional addresses. Rufus Choate felt that the Second Bunker Hill Speech was "a complete failure and break-down, as regards delivery,"[1] and told his friends that Webster was not what he had been. Emerson declared that the oration "was feeble compared with his other efforts, and even seemed poor and Polonius-like with its indigent conservations."[2] Yet, as we read it, its phrasing seems admirable and its literary quality high.

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[1] Lodge, *Early Memories*, p. 271. Webster drank another tumbler of raw brandy at Dr. Ellis's house after the oration was over.

He began, according to his custom, in a low key and simple language, by a reference to the completion of the project, and followed this by mention of eminent Bostonians who had been identified with it. After paying a tribute to the veterans before him, he made a clever transition to the eloquent paragraph opening: "The Bunker Hill Monument is finished. Here it stands." Those who wish to test for themselves how far Webster's oratory is superior to the bombast and floridity of many of his contemporaries should read this passage aloud, noting especially its incisive sentences, its careful and fitting choice of words, and its well-modulated harmony and rhythm.

Webster spoke only briefly of the battle and its consequences, feeling, no doubt, that he had covered that field adequately at the dedication. He passed on to the colonization of our shores and then to his principal theme — the contrast between the English settlements in America and those of Spain. His text was stated in his own words: "England transplanted liberty to America; Spain transplanted power." With what might have impressed a Peruvian or an Argentinian as sublime complacency, he compared the civilizations of North and South America, always to the disadvantage of the Latin countries. He dwelt briefly on the contributions which the New World had returned to Europe — the greatest of which was the character of Washington. After a eulogy on the "Father of His Country," Webster ended with an appeal to true Americans to remember their duties and obligations.

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[1] Parker, *Reminiscences of Rufus Choate*, p. 270.

[2] Emerson, *Journals*, VI, 415.

Senator George F. Hoar, in a justly famous description, has given his impressions of the peroration.[1] He and other Harvard undergraduates had marched from Cambridge to Boston, where they joined the procession to Charlestown; and they were tired when Webster began. The breeze carried the sound of his voice away from them, and they were little stirred by his ponderous utterance. And then, just before the end, the wind shifted, and the collegians thrilled at Webster's "great organ notes" as they echoed and reëchoed in the majestic closing sentences: —

> And when both we and our children shall have been consigned to the house appointed for all living, may love of country and pride of country glow with equal fervor among those to whom our names and our blood shall have descended! And then, when honored and decrepit age shall lean against the base of this monument, and troops of ingenuous youth shall be gathered round it, and when the one shall speak to the other of its objects, the purposes of its construction, and the great and glorious events with which it is connected, there shall rise from every youthful breast the ejaculation, "Thank God, I — I also — AM AN AMERICAN!"

Another spectator was George William Curtis, a boy of nineteen, who wrote of Webster, "His mouth curled, his eye flashed, as if among that mass he was king, but the higher crown could not be seen on him," and said that he displayed "the restless grandeur of a Titan storming heaven."[2] But of all those present in that vast audience, perhaps the most nearly comparable in genius with Daniel Webster was Ralph Waldo Emerson, then a little over forty years of age. Emerson did not approve of Webster's views, but he was a judge of manhood. He wrote of Webster as he appeared on this occasion: —

> His countenance, his figure, and his manners were all in so grand a style that he was, without effort, as superior to his most eminent rivals as they were to the humblest. . . . There was the Monument, and there was Webster. He knew well that a little more or less of

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[1] Hoar, *Autobiography of Seventy Years*, I, 135–36.

[2] Cary, *George William Curtis*, p. 25.

rhetoric signified nothing; he was only to say plain and equal things, — grand things, if he had them; and if he had them not, only to abstain from saying unfit things, — and the whole occasion was answered by his presence.

The caustic John Quincy Adams had ridiculed the preparations for the celebration, describing it as "a political device of Webster's own, — a gull-trap for popularity, both for himself and for Tyler, by which he hopes to whistle back his Whig friends, whom he had cast off, as a huntsman his pack, and who now threaten to hunt him, like the hounds of Actæon."[1] On the eventful Saturday, he remained in his Quincy home, inspecting his seedling trees and rejoicing that he was not present "with Daniel Webster spouting, and John Tyler's nose, with a shadow outstretching that of the monumental column."[2] In view of these entries in Adams's *Diary*, Webster's reference in his oration to "an ex-president of the United States, whom we expected to see here, but whose ill health prevents his attendance" is a fine touch of unconscious irony. Webster's tribute somewhat sweetened the acidulous Adams, who, after talking with Mr. Kent and Mr. Lunt, recorded that the oration was "brilliant and eminently successful; suitable to the occasion and often rapturously cheered."[3] He noted, moreover, that, while the applause of Webster was "hearty and general," that of Tyler was "feeble and cold."

The public men of that generation were almost immune to fatigue and indigestion. On the evening of that strenuous day, there was an interminable dinner in Faneuil Hall, where Tyler sat on the right and Webster on the left of Joseph T. Buckingham, editor of the Boston *Courier*. George Bancroft, one of the most active of Massachusetts Democrats, wrote Van Buren that it was a "cold water" banquet, but that the President would hold his tumbler below the table, pour himself a stiff glass of brandy, and then "duck himself down to swallow it unseen."[4] Many speeches were delivered, but Webster, obviously very tired, said only a few words. After the festivities were over, he was host at a reception in James W. Paige's house, where he, much more than Tyler, was the hero. The President, after a Sunday spent in talking with political leaders and office seekers, went to Lowell to see the factories, and on his return to Boston found that the Attorney-General, Hugh S. Legaré, had died after a brief illness at the home of George Ticknor. Thus Tyler's visit to Boston opened with a rainstorm and closed with a tragedy.

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[1] Adams, *Memoirs*, XI, 382–83. [2] *Ibid.*, p. 383. [3] *Ibid.*, p. 385.

[4] Bancroft to Van Buren, June 22, 1843 (*Proceedings of the Massachusetts Historical Society*, XLII, 409 ff.).

The summer of 1843 was, for Webster, a real vacation, spent largely at Marshfield. As a demonstration of friendship, he journeyed to Boston on July 1, for the farewell dinner given at the Tremont House to Caleb Cushing by a group of local merchants, and made a very tactful speech. In August, he went to Concord, Massachusetts, for the Wyman trial, where Emerson, thrown into contact with him, was quite overwhelmed by his presence. "Webster's force," he wrote, "is part of nature and the world, like any given amount of azote or electricity. . . . After all his great talents have been told, there remains that perfect propriety which belongs to every world-genius." Strong language from the Concord philosopher! Towards the end of the month, Webster broke his silence by writing to the President, warning him that a policy of proscription towards the Whigs would be disastrous and urging him "to remove no man from office but for cause."[1] In September, he attended the New York State Agricultural Fair, at Rochester, and, at a supper held at Smith's Dining Saloon, was toasted by the members of the Agricultural Society as "the farmer of Marshfield." It was a convivial occasion, and Webster's speeches, as printed in the *New York Weekly Tribune*,[2] bear evidence that he had dined well. Governor Seward was present, and the two men interchanged courtesies for the first time since their differences over the McLeod affair. The sensation of the evening came when Webster, after listening to some remarks by Gowen, of Pennsylvania, on the financial situation of that state, insisted on rising and declaring that, if he belonged to a "deeply indebted state," he would work his ten fingers to the stumps before it should be said that it did not pay its obligations. According to the story later told by those present, Webster, after saying, "If America owes a debt, let her pay it, let her pay it," reached in his pocket, drew out some coins, and cried, "What I have is ready for the sacrifice," to the immense diversion of his hearers, most of whom were familiar with his impecuniosity. The tale, too good to be kept secret, went the rounds of the press; and it is still related to-day in several variant forms.[1] It was even later on the same evening that Webster burst into his far-famed eulogy of Rochester and its falls "two hundred and fifty feet high," and declared, amid bacchanalian enthusiasm, that Rochester was "one of the creations of our American world." At this period, Webster, although not an inebriate, imbibed freely at the dinner table, and the habit was noticeably growing upon him.

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[1] Webster to Tyler, August 29, 1843 (National Edition, XVI, 406 ff.). In this letter, Webster told Tyler that the latter had nothing to expect from the Democrats — a shrewd prophecy.

[2] For Webster's speeches at Rochester, see National Edition, XIII, 172 ff.

The defeat of Davis for Governor in the autumn of 1842 had given the Massachusetts Whigs food for meditation. They had virtually disowned Webster, with the consequence that their ticket had met with disaster. In the following June, after Davis had declined to run again, the Whigs, meeting at Worcester, nominated George Nixon Briggs, Congressman from the Berkshire District, to try conclusions with the Democratic Governor Morton. Adams noted that there was a suspension of hostilities between the Clay and Webster fragments of the Whig Party;[2] and the leaders begged Webster to speak for the ticket. He, however, chose to play the rôle of a morose warrior and would say or do nothing to aid the Whigs.

In October 1843, writing to Governor Letcher, of Kentucky, Webster broke his silence.[3] He had been brooding over his wrongs, and complained that the Western and Southern Whigs had not been cordial to those from New England — especially to himself. In 1836, when Kentucky had no candidate for President, Clay's followers, refusing to support Webster, had turned the party towards Harrison. When Harrison died, leading Whigs had urged the cabinet members to retain their places, and Clay, in his last conversation with Webster, had admitted that the latter was justified on patriotic grounds in staying in the Department of State. To those who had objected that he had remained after the Treaty of Washington was completed, Webster replied, "The laws for carrying it into effect had not passed, and I knew were to be opposed, as they were opposed." After these bills were put through, he had lingered long enough to draw up the papers for the Chinese Mission and had then resigned. He continued: —

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[1] For a popular but undoubtedly apochryphal version, see Poore, I, 288–89.
[2] Adams, *Memoirs*, XI, 380–81.
[3] Webster to Letcher, October 23, 1843 (National Edition, XVI, 413 ff.).

> In September, 1842, a proceeding took place at a Whig Convention in Boston, which I knew was aimed against me. Its object was to destroy my standing and character, politically, with the Whigs. This object I determined to defeat at all hazards, and all consequences; and, thank God, I did defeat it. . . . I wish well to the Whig cause, and am ready to make all reasonable sacrifices to insure its success. But those who expect to displace me from my position, will find, if they have not found already, that they have a work of some difficulty.

Not often had Webster been as candid as he was in this letter. But, although he seemed defiant, he was really eager for a reconciliation. After all, his political hopes were bound up with those of the Whig Party, and he knew it. In declining to attend a Whig Convention at Plymouth, he condescended to say that the election of Briggs would "promote the highest interests of the Commonwealth,"[1] and on the following day he accepted an invitation from his friend and admirer, the distinguished theologian, Professor Moses Stuart, to speak at a convention of the Whigs of Essex County.

The Massachusetts Whigs were now bent on propitiating their great chieftain. Whatever his sins may have been, he was now no longer in the administration of John Tyler. As a matter of strategy, they needed him badly, and were prepared to ignore the past. He, for his part, was coy, but willing to be wooed and won.

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[1] Webster to William Davis, October 16, 1843 (National Edition, XVI, 409).

On the afternoon of Wednesday, November 8, Webster arrived in Andover, as Professor Stuart's guest.[1] Friends who dined with him that evening found him suffering from one of his heavy catarrhal colds, and very much dejected. The weather on the following morning was raw and depressing, but it did not chill the enthusiasm of the crowds who poured into the little college town. Aware of the significance of the occasion, the Whigs had made elaborate preparations for its success. Reporters were present from New York and Boston, anticipating an important utterance; and the procession of more than four thousand men included Congressmen and former Governors. The exercises were held in a bowl-shaped natural amphitheatre, sheltered from the biting north wind by a forest of pines and hemlocks, and spread with straw for the comfort of the audience, most of whom had to stand. When he was introduced, Webster, oblivious of the cold, tossed aside his wide-brimmed "stovepipe" hat and surtout, and stood before the fifteen thousand auditors in all his majesty, dressed with scrupulous care in the familiar blue coat with brass buttons, and looking, beside the cadaverous Dr. Stuart, like a well-fed and truculent mastiff compared with a greyhound. As he rose, the whole arena resounded with "deafening and long-continued cheers."

It was a campaign speech which Webster had been asked to deliver, and, for more than an hour and a half, he devoted himself to perfectly safe New England topics, such as the National Bank, the currency, and the protective tariff. But, as the time for closing drew near, he suddenly paused, and the silence in the woodland dell became oppressive. The reporters took up their pens and wrote rapidly as he began, "I am not a candidate for any office in the gift of the government, or in the gift of the people." He told the Whigs of Essex County that he had not formed his opinions on public questions without some pondering and that his views were based on a consistent political philosophy. "It is as impossible," he said, "that I should tread back the path of my political opinions, as that I should retrace, step by step, the progress of my natural life, until I should find myself a youth." In scathing language, he protested against the attacks which had been made upon him. His motive for remaining in the cabinet had been "a very strong desire to be instrumental and useful in accomplishing a settlement of our difficulties with England." For what he had done, he had no regrets. He had retired when it was obvious that Tyler had broken with the Whigs. The great voice boomed out, "I am a Whig, a Massachusetts Whig, a Faneuil Hall Whig, and none shall have the power, now or hereafter, to deprive me of the position in which that character places me."

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[1] Julia Webster Appleton wrote in her Diary, November 9, 1843, "Father is gone today to make a Whig speech at Andover; all the world will be there" (*MS.* Diary).

As the last words fell from his lips, the reporters were dashing off, each hoping, by some stroke of luck, to get a "scoop." The suspense was over. Daniel Webster, like the prodigal son, had returned to the fold, and the Whigs, as they listened, forgave him his past delinquencies and were reassured as to the future. He was not too tired to thank the friends who came forward to congratulate him. He still stood above them "proudly eminent," but secretly he was grateful for the recognition of his party regularity. After all, the honors were his. He had not yielded or apologized. The Whigs had sought him out, as the Greeks did Achilles, because they could not win without him. He was the one who condescended.

Webster's only specific reference to the coming state election was a terse endorsement of Briggs, but even the Democrats perceived that a reconciliation had been effected. Four days later Briggs polled 57,899 votes to Morton's 54,242. As Sewall, the Liberty Party candidate, received almost 9000, the choice was thrown into the Legislature, where the Whigs were easily triumphant. Without Webster's support the year before, they had been defeated. In 1843, with his backing, they had succeeded. The deduction may have been illogical, but it was made by many citizens of the Commonwealth. From that time until his death, the Whigs, no matter what they really felt, seldom publicly questioned Webster's orthodoxy.

After a few more weeks of rest at Marshfield, Webster started south, lingering in New York long enough to be present at the Pilgrim Festival in the Broadway Tabernacle, where his friend, Rufus Choate, delivered one of his most eloquent orations, speaking so poignantly of the privations of the early settlers that Webster trembled with emotion and great tears coursed down his cheeks.[1] At a public dinner held in the evening, he responded to the toast, "Daniel Webster — the gift of New England to his country, his whole country, and nothing but his country," and made a plea for Anglo-Saxon unity, which was warmly received.

For a few days after Webster's return to Washington the more prominent Whigs, not sure what attitude to adopt, did not seek him out, and he was uncomfortably isolated. Largely through the influence of Rufus Choate, Mangum, then President of the Senate, was persuaded to give a dinner, to which Webster was invited. The other guests, seven in all, included Congressman John M. Botts, Senator James T. Morehead, of Kentucky, Choate, and Nathan Sargent — a political writer who signed his articles "Oliver Oldschool." All of them were orthodox Whigs. Webster was at first greeted only coldly; but, as a delectable saddle of Southdown mutton was passed and the Madeira circulated from hand to hand, the little group warmed to the Northerner, who was a capital table companion. Soon they were all on the most intimate terms, and Judge Mangum's hospitality made Webster feel at home among those from whom he had been temporarily estranged. By mutual consent, the past was forgotten, and Webster agreed to join in doing "justice to Henry Clay."[2]

Pressed to let Rufus Choate resign and to take his seat in the

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[1] Fuess, *Rufus Choate*, pp. 127–29. This speech was delivered on December 22, 1843.

[2] Sargent, *Public Men and Events*, II, 209–10.

Senate, Webster made it clear that he sincerely desired to pursue his law practice, at least until the expiration of Choate's term. During the spring and summer, he had been retained in cases which he could not afford to abandon. He confided to Sears that he was earning fifteen thousand dollars a year from his profession, and was reluctant to relinquish this income and, by reëntering public life, to fall more deeply into debt. "If it should be the wish of my friends that I should enter the next Congress," he wrote, "I should have great regard for their wishes."[1] Undoubtedly Webster had other motives, for he wrote to Jeremiah Mason, "I could not probably approve much of what should be done by the administration; and it would be disagreeable to find myself obliged to oppose vigorously, an administration to which I have myself belonged."[2] Learning Webster's decision, Choate rather reluctantly agreed to fill out his term.

Aside from slavery, the great issue before the country in the winter of 1843–44 was that of territorial expansion. No one was better acquainted with our diplomatic secrets than Daniel Webster; yet no one could have been less of an imperialist. He wrote to Everett, "I believe Oregon to be a poor country, no way important to England, except that she happens to have settlements in the region, and of very little consequence to the United States."[3] He was positively opposed to any quarrel with Great Britain over the boundary line in our Northwest. Regarding Texas, he was even more explicit, saying, "My judgment is decidedly unfavorable to the project of the annexation of Texas to the United States."[4] Possibly his own unfortunate experiences with Western lands had blinded him to the immense possibilities for development beyond our existing frontiers. At any rate, his own powerful influence was exerted during the next few years to block the progress of Manifest Destiny.[1] Tyler, meanwhile, was working tirelessly to secure a treaty with Texas; and Webster did his best to alarm the country by sending articles to the *National Intelligencer* and denouncing what he called an "infamous project."

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[1] Webster to Healey, February 1, 1844 (National Edition, XVIII, 181).

[2] Webster to Mason, February 6, 1844 (*Ibid.*, XVI, 424). The tone of Webster's correspondence at this period indicates that he was waiting to see what financial arrangements could be made for him by his friends in case of his return to public life.

[3] Webster to Everett, January 29, 1844 (*Ibid.*, XVIII, 179).

[4] Webster to Citizens of Worcester County, January 23, 1844 (*Ibid.*, XVI, 423).

Freed from the strain of the Girard Will Case, — which he had argued in February, — Webster left Washington for the North, stopping long enough in New York to attend a dinner at the home of Simeon Draper, where, in one of his happiest moods, he "talked like a book, and was pleasant as the morning twilight," seeming to enjoy his temporary release from public life.[2] In Boston, he made his headquarters at Mr. Paige's while he attended to court business. In order to save money, he had leased his Washington house to Mr. Pakenham, who had also purchased much of his furniture. The remainder had been boxed up and shipped to Marshfield, which was more and more becoming the solace of his declining years.[3]

Webster had already agreed to assume, during the campaign of 1844, the same rôle which he had played in 1840 — that of stirring up the country in behalf of the Whig candidate. Pleased with the conciliatory attitude of the Whig leaders, he wrote: "The friends of Mr. Clay, at Washington, are behaving much better than last year. They seem disposed to cherish harmony and return to old associations."[4] Clay, after a dramatic farewell speech in the Senate on March 31, 1842, had toured the West, speaking at strategic points, and the elections of 1843 had encouraged him greatly. While he had not openly sought Webster's support, he had naturally approved of extending a friendly hand, and he was relieved to learn that a truce had been arranged.

Neither Clay nor Webster was in the church at Baltimore on May 1 when, amid deafening shouts, Henry Clay was unanimously nominated for President of the United States, while "a thousand voices sounded *Amen* and *Amen*."[1] But long after midnight, Philip Hone, awakened out of a sound sleep, looked up and perceived hanging over him the dark brows of Daniel Webster. "I have no hat on," he thought, "but off goes my night-cap," and he uncovered in the presence of "the great man of the East," who had just come in by train from Philadelphia,[2] and was seeking a bed in Hone's room.

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[1] For the origin of this term, see "The Origin of 'Manifest Destiny,'" by Julius W. Pratt, in the *American Historical Review* for July 1927. The term is described as "a convenient summing up of the self-confident nationalist and expansionist sentiment of the time."

[2] Hone, II, 209–10. Entry for March 22, 1844.

[3] National Edition, XVIII, 188.

[4] Webster to Fletcher Webster, April 1, 1844 (*Ibid.*, p. 188).

On the following day, when the immense ratifying convention was called together outdoors at the Canton race-course, with banners waving and bands playing, Webster was led forward as convincing evidence of Whig unity. With no reservations and with obvious sincerity, he pledged his loyalty to the nominee. Referring briefly to his break with Clay, he said, "I know of no great national constitutional question; I know of no great interest of the country, still less do I know any question touching important political relations, in which there is any difference between the distinguished leader of the Whig party and myself."[3] In the evening, there was a "love feast" at the home of Reverdy Johnson, where the "great genii" of the Whigs sat eight hours at the table. "I was never concerned in a more jovial affair," wrote Hone, "and never heard more small shot fired from big guns."[4] On his way back to New York, Webster had a very narrow escape from death in a railroad accident, and thought that his days were really over.[5]

To the superficial observer, all looked harmonious, but John Tyler had already thrown down the Apple of Discord by submitting to the Senate in April a treaty providing for the annexation of Texas to the United States. At that moment, although Cass and Buchanan had been avowed candidates for the Democratic nomination, sentiment in that party was inclined towards Van Buren, especially after the withdrawal of Calhoun from the field. But Van Buren and Clay, apparently by collusion, published letters on the same morning, — one in the *Globe* and the other in the *National Intelligencer*, — both against the "immediate annexation" of Texas. This rather unexpected declaration lost Van Buren the nomination, for he had underestimated the force of the movement for territorial expansion. At the Democratic Convention, held on April 27, in Baltimore, the two-thirds rule was adopted, and the "Little Magician" could not command the necessary votes. On the ninth trial, the New York delegation withdrew Van Buren's name and, partly through the influence of George Bancroft,[1] turned to James Knox Polk, of Tennessee. A kind of mob mania ensued; delegation after delegation swung to Polk; and he was nominated unanimously, the first "dark horse" in our history. A day or two before, in the same city, a group of the faithful tendered Tyler the nomination, and he accepted, saying, "My name has become inseparably connected with the great question of the annexation of Texas to the Union." He was at once urged by the Democrats to withdraw, in the interests of unanimity, and finally did so in August, convinced that he had no chance, but partially reconciled by the fact that Polk had come out so vigorously for Texas.

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[1] Hone, II, 217.

[2] *Ibid.*, 219.

[3] National Edition, XIII, 198.

[4] Hone, II, 220.

[5] Julia Webster Appleton's Diary, May 7, 1844.

The Senate, after bitter wrangling, finally refused to confirm what Hone called "Mr. Tyler's infamous treaty,"[2] and the two parties were apparently going before the country on that issue — Clay opposed to the annexation of Texas, and Polk its earnest advocate. Clay, whose Raleigh Letter had ensured him the support of the moderate antislavery Whigs, had no reason to be troubled about his position. But the man who had once theatrically asserted that he would "rather be right than President" now showed himself capable of any subterfuge to gain his ambition. Under pressure from Southern members of his party, he wrote two letters in July in which he hedged on the Texas question, saying, "Far from having any personal objection to the annexation of Texas, I should be glad to see it, without dishonor, without war, with the common consent of the Union, and upon just and fair terms." One can respect Polk, who believed honestly in taking Texas at any cost; but it is impossible to exculpate Clay, who, fearing defeat, sacrificed his political consistency in order to bid for votes. Tactically, he made a colossal blunder. The Liberty Party, which had nominated Birney, now came out openly against Clay. He endeavored to explain his conflicting letters, but they could not be reconciled. In the end, he paid the penalty of his vacillation.

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[1] Darling, *Political Changes in Massachusetts, 1824–48*, p. 315.

[2] Hone, II, 227. John Quincy Adams felt that the treaty was repudiated "by the special interposition of Almighty God" (Adams, *Memoirs*, XII, 49). The vote, taken on June 8, 1844, shows 35 against and only 16 in favor of ratification. For a full discussion of the events leading up to this treaty, see Justin H. Smith, *The Annexation of Texas*. The economic factors leading to the annexation are ably treated by Beard, *The Rise of American Civilization*, I, 597 ff. The holders of Texan securities brought steady pressure on Congress, and there was extensive speculation in Texan paper. To this phase of the matter Webster was indifferent, and there is no mention of it in his correspondence.

Meanwhile Webster, doomed again to sacrifice himself for his rivals in his own party, was laboring for Whig success. He appeared at a stirring meeting in Faneuil Hall, where he declared that the nomination of Clay met with his "entire and hearty approbation" and urged the Whigs to make themselves missionaries for the cause.[1] A week later he was in Portsmouth, telling his old friends in that city that "if the great interests of the community are to be preserved, then Whig principles must succeed."[2] In late May he went to Trenton, to attend a ratifying convention, and begged a vast audience to do their duty by spreading the Whig gospel.[3] In no one of these addresses did he mention Texas, but confined himself to the safer field of finance. Then came the news of the unexpected nomination of Polk. Not a Whig in Massachusetts had any doubt of Clay's election. What chance did an unknown figure like Polk have against gallant "Harry of the West"?

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[1] Speech at Faneuil Hall, May 9, 1844 (National Edition, XIII, 203 ff.).

[2] Speech at Portsmouth, May 17, 1844 (*Ibid.*, p. 212 ff.). For intimate details of the visit, see Julia Webster Appleton's Diary, entry for May 18, 1843.

[3] Speech at Trenton, May 1844 (*Ibid.*, p. 216 ff.).

"I am tired of public speaking," wrote Webster in the middle of May, "and am bringing it to a close."[1] He did decline invitations to address mass meetings in Memphis and Cleveland; but he could not resist the importunities of the Boston Clay Club, before which he appeared on Independence Day.[2] Then he sought the seclusion of Marshfield, from which he could not be lured until August 9, when he was introduced at a Whig meeting in Springfield, Massachusetts.[3] Clay's Alabama letters had been published not long before, and it was probably for this reason that Webster, for the first time during the campaign, spoke out on the matter of Texas. "The great, fundamental, everlasting objection to the annexation of Texas," he said vehemently, "is that it is a scheme for the extension of the slavery of the African race." He made an especial appeal to the members of the "third party," declaring that every citizen who voted for Birney was indirectly promoting the election of Polk. Regarding Clay's unfortunate recent avowals, Webster made the best defense within his power, but he could not be convincing. He himself was discouraged over Clay's unforeseen change of front, and his loyalty to the Whig Party was sorely tried. George Bancroft wrote in October: "What is more ridiculous than Clay's position? What is more ridiculous than Webster's relations to Clay?"[4]

Webster did not, however, relax his efforts in behalf of Clay. At an immense outdoor gathering at Albany, he dwelt principally on the virtues of a protective tariff, referring only casually to the problems of territorial expansion. Some weeks later, before a multitude on Boston Common, he attempted to reconcile Clay's dubious and ambiguous remarks on Texas by stating that the latter held distinctly that annexation "must and does tend to extension, promulgation, and perpetuation of slavery," and that Clay was against annexation unless it could be effected "with the common consent of the whole country."

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[1] Webster to Ketchum, May 16, 1844 (National Edition, XVIII, 193).

[2] Speech at Boston, July 4, 1844 (*Ibid.*, XIII, 238 ff.).

[3] National Edition, XIII, 243 ff.

[4] Howe, *Life and Letters of George Bancroft*, I, 258.

With Clay in the White House, he added, they were sure of safety for at least four years more; but Polk's election would mean the immediate acquisition of Texas and probably a bloody war.[1] In October, Webster spoke at Philadelphia, Valley Forge, and New York. No Whig could complain that he was not doing his utmost for the cause.

Then came disaster. Early returns from New York were favorable to the Whigs; but John Quincy Adams, to his disgust, was awakened at midnight on November 7 by the firing of twenty-six guns — "the Io Triumphe of the Democrats on receiving the election returns from Albany."[2] Polk had carried New York over Clay by the narrow margin of 5080 votes, Birney, the Liberty candidate, having been given 15,812 votes, more than half of which would doubtless have been Clay's but for his Alabama Letter. Hone complained, "The slaveholders of the South and the abolitionists of the North have gone equally against us."[3] In the country at large, Polk's majority was small, but sufficient. The Whigs alleged that election frauds had been perpetrated by the Democrats, and there was perhaps some basis for the charge. But the real reason for Clay's defeat was his shift of ground on the Texas question. "The object of Clay's highest ambition escaped him," says his ablest biographer, Carl Schurz, "because at the decisive moment, he was untrue to himself."[4] Rufus Choate had predicted that Polk would "disappear like the lost Pleiad, where no telescope could find him"; instead, he was to become the brightest star in the political firmament. As prophets, Webster and Choate were discredited.

On November 8, when the full tidings from New York and the West had indicated the debacle, Daniel Webster addressed a disconsolate body of Whigs in Faneuil Hall, beginning with an imitation of the words of Satan rallying his cohorts in the fiery gulf of Hell: "What if the field be lost? All is not lost!"

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[1] Speech at Boston, September 19, 1844 (National Edition, XIII, 254 ff.).

[2] Adams, *Memoirs*, XII, 102. Entry for November 7, 1844.

[3] Hone, II, 235.

[4] Schurz, *Henry Clay*, II, 265.

The local elections had not yet taken place, and he still had hope that his Commonwealth would stand

> Among the faithless, faithful only she.

Compelled to explain the Whig defeat in the nation at large, he asserted that it was due to "false and fraudulent votes"; and he demanded a reform of the naturalization laws, on the ground that ignorant immigrants, unfamiliar with our government, had been led to the polls to cast ballots for candidates about whose qualifications they were uninformed. In the anger of the moment, it was natural that Webster should seek such excuses for the catastrophe; but sober meditation must have convinced him that Clay ran nearly 2500 behind the Whig state ticket, and that Birney polled almost 11,000 votes.

Webster had thrown himself enthusiastically into the campaign, and never had his energy been more completely wasted. If he himself had been the Whig candidate, he might well have been elected. It seemed as if some malevolent fate were thwarting his supreme ambition. If Clay had been successful, furthermore, Webster would doubtless have become Secretary of State, for Clay would have been under heavy obligation to him. As events turned out, however, Polk, one of Jackson's political heirs, was to be President for the next four years, and Webster was to resume his familiar rôle as leader of the opposition.

The acquisition of Texas was to be accomplished even more speedily than he had expected. Tyler, eager to add lustre to his administration, and justified in accepting the result of the election as a popular mandate to proceed with his expansion policies, asked Congress in December for a joint resolution inviting Texas to join the Union. It was an ingenious device for achieving by a simple majority what had not been able to secure the necessary two-thirds in the Senate. The baffled Whigs were furious, but all their obstructionist tactics were unavailing. The measure was finally signed by Tyler on March 1, 1845, as a last defiant blow at his enemies.

During the winter, Webster was elected in due course to the senatorial seat about to be vacated by Rufus Choate,[1] and took the oath at the opening of the brief special session of the Senate from March 4 to March 20. He was interested in a convention called at Boston in January to protest against the annexation of Texas, but was obliged to set out for Washington before it was held. Busy with law cases, he saw no reason why he, a private citizen, should meddle with the deliberations of Congress. He was in the capital when Polk, on a rainy, unpleasant day, was inaugurated as President, but he left no comment on the ceremonies.

With most of the Whigs, Webster had fully regained his prestige, and he was now reinstated as a regular member of the party organization. But there were some, even in Massachusetts, who never quite trusted him again, who could not forget his intimacy with John Tyler and his refusal to bend to the will of Henry Clay. Although they conceded his ability and patriotism, they suspected him of political heresy. Others, furthermore, regretted that he had not taken an uncompromising stand for the abolition of negro slavery. In some such mood, Emerson, on August 25, 1845, made this entry in his Diary: "Ah! if God had given to this Demosthenes a heart to lead New England, what a life and death and glory for him. Now he is a fine symbol and mantel ornament, — costly enough to those who must keep it; for the great head aches, and the great trunk must be curiously fed and comforted."[2] Although Emerson's opinion was unjust, it has been quoted as the utterance of a seer; and Webster's reputation has suffered because of his critic's enduring style.

Webster himself was gloomy enough in that autumn of 1845. Justice Joseph Story, his beloved friend and counselor, died on September 10, and Webster presented memorial resolutions at a meeting of the Bar Association. While this grief was upon him, he was attacked by his annual hay fever, which was even more annoying than usual, and he appeared in a pair of green spectacles which gave him a singularly grim expression. His daughter, Julia, wrote down in her inimitable Diary a conversation with her father on September 20, just before he set out for The Elms. "I wish to think, my daughter," he said. "I am getting old. I wish to make my preparations for this world and the next. I cannot expect to live much longer." And then he talked to her at length on the great mysteries of life and death and immortality. Fortunately this melancholy was dissipated in the bracing air at The Elms. His hay fever disappeared, and he returned to Washington in December, eager to battle a militant Democracy.

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[1] Choate, on January 8, announced his unwillingness to be a candidate for reëlection. On January 15, Webster was elected in the House of Representatives by 186 votes to 64 for Marcus Morton. In the Senate on the following day he was chosen unanimously. (*Boston Daily Advertiser, passim.*)

[2] Emerson, *Journals*, VI, 88.

XXII

OREGON AND MEXICO

> The side of our country must ollers be took,
> An' Presidunt Polk, you know, *he* is our country.
> — LOWELL, *The Biglow Papers*

> What we want is settled peace, and the conviction that peace will remain until there is some just and sensible cause for war.
> — WEBSTER, Speech in Faneuil Hall, November 7, 1845

> We are, in my opinion, in a most unnecessary, and therefore most unjustifiable war.
> — WEBSTER, Speech at Springfield, September 29, 1847

MORE than any other American statesman of the first rank, Webster spent his political career as a member of a party out of power. For twelve years he had tried to curb the aggressive Democracy of Jackson and Van Buren; now he was to perform the same function with regard to Polk. As a fledgling Federalist, he had stood out against what he thought to be an unjustifiable conflict with Great Britain; once more, in his maturity, he was to protest against a war with Mexico. Without being conscious of it, he was out of touch with the age. The United States, surging with growing strength, was developing self-confidence. Webster did not comprehend the force of the movement which was driving men beyond the frontier in their quest for "something lost behind the ranges." Old Ebenezer Webster had had the spirit of the pioneer, but his son was less adventurous. His words of warning fell on deaf ears, except in New England, where he was still idolized. Regardless of his protests, imperialists pursued their course, perfectly willing to fight the whole world in an emergency. Jingoism was never more vocal in the United States than in the "roaring forties." Outnumbered and outvoted, Webster could do little but criticize and mitigate what seemed to him to be the intolerable evils of a Democratic administration.

The ability of Polk has been underestimated. Spare and angular, with dark gray eyes and compressed lips, he was austere in manner and displayed few frivolous weaknesses. It may be true, as Justin H. Smith has said, that he possessed "no great ideas, no inspiring imagination, no kindling enthusiasm, no moving eloquence, no contagious humor, no winning personality."[1] But, if he was less magnetic than Clay, he was far more consistent. He was honest, sincere, industrious, and tenacious in his opinions, and his recently published *Diary* reveals him as a conscientious, methodical man, of strong convictions, who kept control of his cabinet and knew exactly what he was about.[2] It was under him that we acquired Texas, California, and a large part of Oregon; and, if Webster had had his way, San Antonio and Los Angeles might now be on foreign soil. There is probably no sane twentieth-century American who regrets that the expansionist policies of Polk were successfully carried through.

Some weeks before the opening of Congress in December, Chancellor Kent wrote to Webster, "I think we have at Washington the meanest mean, malignant, party hacks and tools that ever were doomed to curse a republic."[3] Webster himself was vaguely discouraged at the prospect. His inveterate opponent, James Buchanan, suave but implacable, sat at his desk in the Department of State. The New England representative in the cabinet was George Bancroft, Secretary of the Navy, from whom Webster could expect no favors. As he looked around in the Senate Chamber, he missed Henry Clay; but Calhoun, grim and triumphant, was there, and so was the pompous Benton. The administration had a strong ally in Lewis Cass, now a Senator from the border state of Michigan, who hoped, through an anti-British policy, to make himself Polk's successor. Webster's colleague from Massachusetts was the reliable John Davis. The Massachusetts delegation in the House was still headed by John Quincy Adams, but the other members, with the exception of Robert C. Winthrop, were undistinguished. There was a young Congressman from Illinois named Stephen A. Douglas, who was to be heard from; and there were certain Southerners, including Jefferson Davis, William L. Yancey, R. Barnwell Rhett, Alexander H. Stephens, and Howell Cobb, whose bearing was proud and provocative. The administration had a good working majority in both branches of Congress.

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[1] Smith, *The War with Mexico*, II, 270. This work — one of the finest products of American scholarship — is an authority on the period which it covers.

[2] Howe, I, 294.

[3] Kent to Webster, November 11, 1845 (National Edition, XVIII, 212). Emerson wrote in his Diary in May, 1846, "The scrupulous and law-abiding become Whigs, the unscrupulous and energetic are Locofocos." (*Journals*, VII, 205–6.)

During Webster's absence from the Capitol, social conditions had been little altered. Thirsty Senators still sought the "Hole in the Wall," where strong liquors were purveyed just outside the legislative halls. Nearly everyone took snuff or chewed tobacco, and strangers were often disgusted at the filthy habits of the Solons. The Senate Chamber was warmed in winter by fires of hickory wood, supplemented by two or three coal-burning Franklin stoves; but sensitive members sat on chilly days wrapped in shawls, fastened at the neck with pins, and were not too careful to remove their hats. Although pages were always bustling about, the Chamber had an air of dignity which was lacking in the House.

Washington itself was still an "ill-covered, ill-arranged, rambling, scrambling village" of about forty thousand people, of whom ten thousand were blacks. The old wooden dome, dominating the Capitol, looked down over Pennsylvania Avenue, which was paved with rough cobblestones and badly illuminated at night by oil lamps. Mrs. Polk, a rigid Presbyterian, did not allow dancing or drinking at her receptions, but there were other homes which were less puritanical. Most of the Congressmen lived in hotels. Webster himself bought, in 1845, a house on Louisiana Avenue, between Fifth and Sixth Streets, on land now covered by the Police Court Building; but there were only four other Senators who felt able to maintain houses. The burden of hospitality fell largely upon the foreign legations, at whose homes elaborate dinners were served at five-thirty. The chief newspapers were the *National*

Intelligencer, a Whig sheet for which Webster occasionally condescended to write a leader, and the *Washington Union*, which was the Democratic organ.

These journals, during the autumn of 1845, were much excited over the question of our Northwestern boundary, which had been left undetermined by the Ashburton Treaty. The line between the United States and Canada followed the forty-ninth parallel to the Rocky Mountains. Beyond that lay a vast territory known as Oregon, between the forty-second and fifty-sixth parallels, little known and rarely explored, but containing the valley of the Columbia River, the island of Vancouver, and Puget Sound. In extent and potential riches it was an empire by itself. Although both England and the United States made from time to time the extravagant claims which were then regarded as essential to diplomacy, neither country had an undisputed right, and the only logical solution was a compromise.

By a Convention adopted in 1818, citizens of both countries were allowed to settle in Oregon, and some enterprising nomads, chiefly from the United States, had already occupied land there. This agreement, renewed in 1827, was subject to cancellation by either party after a year's notice. From time to time, our government had offered to continue the forty-ninth parallel to the Pacific Ocean, but the British had insisted that the line should be the Columbia River from the point where it crossed the forty-ninth parallel to its mouth.

The Democratic Convention of 1844 had declared for the acquisition of both Oregon and Texas; and Polk, in his Inaugural, definitely declared that our title to the whole of Oregon was "clear and unquestionable." The slogan of "Fifty-four Forty or Fight!" was adopted by jingoistic Democrats. While this cry was ringing through the country, Secretary Buchanan, hoping for a peaceful settlement, opened negotiations with Pakenham, the new British Minister at Washington, on the basis of the forty-ninth parallel. The latter rejected the proposal; Buchanan withdrew his offer; and the situation reverted to its original status.

Webster, familiar with all the complications, was confident that, by the use of the right tactics, England could be induced to yield. During the autumn of 1845, passions ran high in both countries, and the rashness of irresponsible newspaper editors kept them from cooling. Caleb Cushing, who, after his return from China, had gone over to the Democrats, spoke in early November before the Boston Lyceum, assailing British colonial policy and asserting that London had shown little of the spirit "either of equity or conciliation."[1] It was a period of bluster and bravado, of strong national consciousness verging on conceit; and in certain quarters Anglophobia was regarded as an essential evidence of patriotism.

Daniel Webster, however, was too sensible and peace-loving to consider war with England over such an issue. He did not regard the Oregon country as of much importance; and he had a conviction that, sooner or later, its settlers would establish a great Pacific Republic beyond the Rockies. He had an opportunity to express these views on November 7, at a Whig caucus in Faneuil Hall, when, after giving a perfunctory endorsement to Governor Briggs, who was up for reëlection, he denounced the belligerent Democrats who were trying to make bad feeling between the two Anglo-Saxon countries.[2]

It was galling to him to watch the boundary question being handled by other hands than his own. President Polk, having persuaded himself that "the only way to treat John Bull was to look him straight in the eye," had resolved, contrary to the advice of Buchanan and even of Calhoun, to insist on our claim to the entire region under dispute. In his December Message, he asked Congress to give the notice required for terminating the Convention of 1818, recommended that we should build stockades along the Oregon Trail for the protection of immigrants, and urged that the laws of the United States be extended over our citizens in Oregon.

Webster's Faneuil Hall Speech, with its hope that the affair might be adjusted amicably, reached London only a few days before the bellicose Message of the President. Webster was, of course, far better known in Europe than Polk, and his address, soon translated into nearly every language on the Continent, was regarded as a significant utterance. But Polk's official declaration of our policy revived the danger of hostilities. When Webster reached Washington on December 10, he found his friends in the Senate very sober in their minds. Within a week, Lewis Cass introduced resolutions directing an inquiry into the condition of the army and navy, supporting them in a speech which predicted that war might break out at any moment. It was an indiscreet outburst, and Webster, in a few brief remarks, — his first on the floor of the Senate in several years, — replied that he did not believe that the President expected a crisis and expressed the feeling that it was expedient for Congress to "prevent all alarm."[1]

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[1] Fuess, *Caleb Cushing*, II, 23 ff.

[2] National Edition, XIII, 310 ff.

With such hot-heads as Cass in the Senate, an explosion might be expected at any moment, and Webster wrote, "Mr. Polk and Lord Aberdeen can easily bring on war if so inclined."[2] Fortunately Buchanan was doing his utmost to restrain the President, and actually warned him "with some earnestness that the country would not justify a war for the country north of 49°."[3] Polk himself, faced with the possibility of a breach with Mexico, acknowledged the undesirability of fighting two nations at the same time, and became more conciliatory. On January 14, 1846, Webster wrote to Fletcher, "Mr. Polk said to a friend of mine last night, *that he had not the slightest apprehension of War*."[4]

In private, Webster exerted all his influence for peace. He had important "inside information," for he had been in correspondence with James McGregor, a Member of Parliament from Glasgow, and had suggested through him to Lord Aberdeen that the question could be settled if Great Britain would now make a positive offer of the forty-ninth parallel. Although he complained, in February, that the majority of the House of Representatives appeared to be "rash, headstrong, and uninformed men,"[1] he added that war would not ensue; and he wrote confidentially to Everett that Washington was simply waiting for Great Britain to make a proposal.[2]

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[1] Speech on December 15, 1845 (National Edition, IX, 60–62).

[2] Webster to Haven, December 26, 1845 (*Ibid.*, XVI, 439).

[3] Polk, *Diary*, I, 107. Entry for November 28, 1845.

[4] Webster to Fletcher, January 14, 1846 (National Edition, XVI, 440).

After measures had been introduced into Congress carrying out Polk's recommendations, Webster took no active part in the Oregon debate until late February, when he spoke briefly, requesting the President to disclose his plans. "The executive," he said sarcastically, "seems to be for negotiation, and yet is against taking anything but the whole of Oregon"; and he submitted his opinion that the country would not reject a proposition of the forty-ninth parallel, which our government had offered in good faith at least three times to Great Britain. On March 30, he again rose to assert that both nations wanted the question settled.

The resolution authorizing the President to terminate the Convention of 1818 passed in April, with a preamble, conciliatory in tone, urging a speedy disposition of the rival claims. Pleased with these friendly advances, Aberdeen submitted a proposal for settlement, by which the international boundary was to follow the forty-ninth parallel to the middle of the channel separating Vancouver Island from the mainland, and thence southerly through the Straits of Fuca to the Pacific, thus giving to England the entire island of Vancouver. In addition, the British were to be allowed free navigation of the Columbia River. When this offer reached Washington in May, we were officially at war with Mexico, and Polk would have been mad to reject it. He made no recommendation, but the Senate advised accepting the proposal, and the necessary treaty was signed on June 15.[3] Webster, delighted with the outcome, predicted that, because of it, the hostilities with

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[1] Webster to Haven, February 2, 1846 (National Edition, XVIII, 216).

[2] Webster to Everett, February 5, 1846 (*Ibid.*, p. 217).

[3] Webster to Fletcher, June 13, 1846 (*Ibid.*, XVI, 455). For an excellent discussion of the whole matter, see *The American Secretaries of State and Their Diplomacy*, V, 244–64.

Mexico could not last long. On that evening, Pakenham gave to seven men, including Webster, a small dinner, which Hone tells us was attended by "good wine, good taste, good manners"; and the joyful event was toasted again and again.

Our annexation of Texas, although "on legal, moral, and political grounds entirely legitimate,"[1] was regarded by Mexico as a *casus belli*. Immediately after the joint resolution at the close of Tyler's administration, Almonte, the Mexican Minister, left Washington, and the Mexican Consul at New Orleans withdrew. Rightly or wrongly, Mexico felt herself aggrieved. The President of the Mexican Republic, Herrera, was peace-loving, but he was keeping his office only on sufferance, and the temper of his people was rabidly anti-American. Although they were afraid of the United States, they underrated Yankee courage and resourcefulness. Gamblers by instinct and ignorant of all countries but their own, they welcomed war as making life more exciting; and they had very little to lose and everything to gain by a resort to arms. Puzzled Mexican leaders were encouraged by the opinion openly expressed in both France and England that we were a nation "without an army and without credit." If Europe thus contemptuously ignored our prowess, it is not remarkable that Mexican strategists believed that we could be defeated.

Now that Texas had become part of the United States, the farsighted Polk had his eyes on "the Californias." American adventurers had already, in defiance of Mexican law, occupied the Sacramento Valley, and California seemed likely to become a second Texas. In 1844, moreover, there were vague rumors, completely without justification, that England was planning to seize the Pacific Coast, from Los Angeles to San Francisco. The President's policy from that moment was directed towards the acquisition of California. But he did not desire war, especially a war without any excuse except aggrandizement. He tried conciliation by sending John Slidell as a Special Envoy to Mexico, with authority to make a liberal bargain for New Mexico and California; but, after landing at Vera Cruz, this emissary was notified in December that he could not be received. Such action was, of course, tantamount to an insult, and Slidell, uncertain as to his next move, retreated to Jalapa to await instructions. Even Webster, who had been opposed to the annexation of Texas and was averse to a breach with Mexico, admitted that the refusal to welcome Slidell was "highly unjustifiable."

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[1] Smith, I, 82.

Just before the year ended, President Herrera, whose followers had been dwindling in number, was displaced by Paredes, a blustering self-seeker, who at once assumed a bold attitude towards the United States. The Polk administration had meanwhile not abandoned its hopes for peace. "No one could think of any rational method to conciliate Mexico that he did not put into operation," says Justin H. Smith, in comment on Polk's policy.[1] But the accession of Paredes, coupled with the possibility of British interference, compelled Polk to contemplate the possibility of a conflict. From the Mexican government emanated constant threats of war. We had endured all that any nation could be expected to bear from a contumacious and untrustworthy neighbor,[2] and our patience was almost exhausted.

In mid-January, when Polk learned that Herrera had declined to receive Slidell, he ordered General Zachary Taylor, then stationed with troops at Corpus Christi, to advance to the Rio Grande. Our small army thus entered disputed territory — territory, however, which had usually been accepted as belonging to Texas. In the early spring of 1846, Taylor's soldiers were on the banks of the Rio Grande, directly opposite the Mexican village of Matamoros. With conditions as they were, an overt act was merely a question of days. Mexican cavalry, crossing the river on April 24, surrounded a scouting party of about sixty American dragoons; and, in the skirmish, several of the Americans were killed. Taylor assumed, naturally enough, that hostilities had begun, and so notified the War Department.

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[1] Smith, I, 133. This view is confirmed by Mowat, *The Diplomatic Relations of Great Britain and the United States*, as well as by Sioussat in his article on James Buchanan in *The American Secretaries of State and Their Diplomacy*, V, 264–77.

[2] For a summary of Mexican outrages and insults, see a remarkable sentence in Smith, I, 136.

The week-end beginning on Saturday, May 9, was one of the most dramatic ever known at the White House. Before hearing the news from Taylor, Polk had concluded, after consultation with Slidell, that we had "ample cause of war." At a cabinet meeting on Saturday morning, the President outlined his own views, and then asked each department head for his opinion. All expressed their approval of a war policy except Bancroft, who qualified his affirmative by stating that he would "feel better satisfied" if the Mexicans had committed an act of aggression. At two o'clock, the meeting adjourned. At six o'clock, dispatches arrived from the south from Taylor, and Polk immediately summoned the cabinet together. The President now had a conclusive argument with which to go before the country, and even Bancroft concurred in the decision that war with Mexico should be prosecuted with vigor.[1]

Polk, a strict observer of the Sabbath, was forced to spend it in drafting a special message. Assisted by Bancroft and Buchanan, he toiled all day, with only one hour off for church, and, on the next morning, Congressmen listened intently to the announcement that Mexico had "invaded our territories, and shed American blood upon American soil."[2] Polk could prove that hostilities had been deliberately precipitated "by the act of Mexico herself." As Stephenson has said, "Fate had thus suddenly and unexpectedly filled his hand with trumps."[3] The House, in a fever of patriotic ardor, passed a bill declaring that war existed and authorizing a call for fifty thousand volunteers. On Tuesday, the act was debated in the Senate, but the administration would tolerate no delay, and it was passed that afternoon, with only two men, Davis, of Massachusetts, and Clayton, of Delaware, voting "Nay." On May 13, Polk signed the measure and named General Winfield Scott as chief in command of our forces.

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[1] Polk, I, 384 ff.

[2] Richardson, *Messages and Papers of the Presidents*, IV, 437 ff.

[3] Stephenson, *Texas and the Mexican War*, p. 187.

Throughout those fateful days, Daniel Webster was not in the Senate. On April 19, in the midst of a lull in legislation, he had gone north, on a trip to Boston[1] and Franklin, during which he attended the installation of Edward Everett on Thursday, April 30, as President of Harvard College. We are fortunate in having a description of the occasion from two eyewitnesses — Ralph Waldo Emerson and George Frisbie Hoar.[2] Governor Briggs had just delivered to Everett the keys and the charter of the college, and the latter was stepping forward to open his inaugural address, when Webster, arriving late from Boston, walked on the stage from a side door. The new President was forgotten. The audience, intent only on "the old Titanic Earth-Son," stood up to greet him, and Everett, with his customary tact, sat down until the tumult subsided. When quiet was restored, the President merely said: "I would that I might anticipate a little the function of my office, and saying, *Expectatur Oratio in Vernacula*, call upon my illustrious friend who has just entered upon the stage to speak for me. But I suppose that the proprieties of the occasion require that I speak for myself." Although Emerson felt Everett to be "a mere dangler and ornamental person," he thought him to be entitled on that occasion to the entire field, and added that he could willingly have spared Webster at that particular time. Webster, introduced later, was most happy in his extemporaneous tribute to Everett, which was declaimed in the choicest of Ciceronian Latin.[3]

From such scholarly diversions, Webster was recalled to Washington by the news of war. What his position would have been if he had been present in the Senate on May 12 cannot be positively stated. Later in the year he declared in no uncertain terms that the war was unjustifiable, and it is possible that he would have joined his colleague, Davis, in a useless protest against a measure which he regarded as hasty and ill-advised. On the other hand, he defended those Whigs who voted for the war by asserting that our army was in an exposed situation and it was necessary to sustain it.[1]

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[1] Webster, who had just been bitterly assailed by Ingersoll in the House of Representatives, was greeted at the railroad station by a great throng and was escorted through the streets by a band of music to Mr. Paige's, where he was to stay. (MS. Diary of Julia Webster Appleton. Entry for April 27, 1846.)

[2] Emerson, *Journals*, VII, 166. Hoar, I, 143.

[3] National Edition, XIII, 324–25. In the evening, President Everett held a levee, of which Julia Appleton recorded, "Such a jam I never witnessed; five hundred persons must have been crowded at once into an old-fashioned inconvenient house."

Even before Polk had openly declared himself, blood was being shed and victories were being won. On May 8, at the water hole of Palo Alto, Taylor drove back the army of General Arista; and, on the following day, the Americans routed their foe at Resaca de la Palma. Within forty-eight hours, our soldiers had defeated three times their number in open combat and had shown marked superiority in bravery and efficiency. Not long afterwards, Matamoros surrendered, and Zachary Taylor, at the age of sixty-two, had become a military hero.

Webster's first opportunity to speak on the Mexican War came on June 24, in connection with a bill for organizing the volunteer force. He disarmed his opponents by announcing that he should not "deny the government any supplies which may be considered necessary." Further to clarify his position, he added, "Whatever may be thought of the origin of the war, the fact that war does exist is in itself a sufficient reason for granting the means of prosecuting that war with effect." Having made this preliminary statement, he went on to say that the time had come to ask "for the object, and character, and purposes for which the war is hereafter to be conducted." Pointing out that our "army of occupation" had become an "army of invasion," he urged the administration to send to Mexico a "formal solemn embassy."[2] His policy was to suspend military operations while attempting to open negotiations for peace. A month before he had written Fletcher, indicating that he would support the war as long as it was waged for defense and not for aggrandizement.[3] If Mexico refused to respond to overtures, he was then reconciled to a vigorous prosecution of the military campaign.

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[1] Speech at Faneuil Hall, November 6, 1846 (National Edition, XIII, 330).

[2] National Edition, IX, 151 ff.

[3] Webster to Fletcher, May 20, 1846 (*Ibid.*, XVI, 449–50).

When the agreement with England about Oregon was signed in mid-June, Webster was confident that the difficulties with Mexico would soon be adjusted. He even felt that Polk was desirous of putting an end to hostilities.[1] The President, ignorant of Santa Anna's real character, had actually allowed that hypocritical scoundrel to leave his exile at Havana and pass freely through our Gulf squadron to his own country, and had hoped that, with Santa Anna in power, peace might be secured and Mexican territory purchased by the United States. To this end, he asked Congress for a special grant of two million dollars to be used in paying for prospective cessions from Mexico. When the bill was brought up in the House, it was promptly amended by David Wilmot, of Pennsylvania, to stipulate that, in any territory to be acquired from Mexico, there should be "neither slavery nor involuntary servitude." This was the famous Wilmot Proviso which was to appear so frequently in Congressional debates. The appropriation bill, with the Proviso, passed the House and went to the Senate, where, on Monday, August 12, it was taken up only twenty minutes before adjournment. Webster's Massachusetts colleague, "Honest John" Davis, was defending the Proviso when word came that the House had risen, and it was consequently not put to a vote. Webster was undoubtedly ready to declare himself in its favor.

Unfortunately, Polk's delightful plan for peace did not reckon with the duplicity of its principal actor. Santa Anna, a voluble gambler, reached Vera Cruz on August 16, and, with cynical opportunism, was transformed into the patriot soldier. Gaining command of the army through political intrigue, he realized that his only chance to regain his prestige was to keep the war spirit of his deluded countrymen from cooling. At Monterey, in September, Taylor, after three days of gory combat, took the city by storm, creating a tradition which expressed itself in the lines: —

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[1] Webster to Fletcher, June 13, 1846 (National Edition, XVI, 456). Webster to Fletcher, August 6, 1846 (*Ibid.*, p. 465). In this latter letter, Webster said, "There is no doubt that the President is desirous of putting an end to this Mexican War; but how to do it is the question."

And on, still on, our column kept
Through walls of flame its withering way;
Where fell the dead, the living stept,
Still charging on the guns which swept
The slippery streets of Monterey.

But Taylor, to Polk's disgust, allowed General Ampudia to evacuate during a temporary cessation of hostilities; and not long afterwards, the President learned that Santa Anna, indifferent to his promises to our government, was in charge of Mexican military operations. Taylor had become a popular idol, but he had lost the confidence of the administration; and Polk, seeing that the war must be fought to a finish, decided to send General Winfield Scott to march with a powerful force from Vera Cruz to the Mexican capital. Only at Mexico City could a lasting peace be made.

While the war spirit was rising in the United States, Webster, concerned with domestic matters, devoted himself to modifying the Tariff Bill of 1846 — an honest effort on the part of the Democrats, in accordance with their promise, to frame a tariff for revenue only. Polk, in his first Annual Message, had discussed the tariff thoroughly and had appointed Robert J. Walker, a free trader, as Secretary of the Treasury. Walker's report of December 3, 1845, laid down six cardinal principles completely overthrowing the protective theory; and, in advocating what came to be known as the Walker Tariff, he deliberately tried to arouse antagonism against "capitalists" and favored classes.[1]

To the abandonment of the protective system, under which New England had flourished, Webster was naturally opposed. While the Walker Bill was being debated, he wrote, "Our especial business, as it seems to me, is to look to the preservation of the great industrial interests of the country."[2] On July 25 and 27, he delivered the longest speech he ever made in the Senate — a speech which he approached with "infinite concern and anxiety" and which was the product of weeks of preparation.[1] Stating that the administration had showed "a sedulous purpose of hostility to the manufacturing interests," Webster quoted long lists of statistics and read complaints from aggrieved industrial concerns. But the task of converting the free traders was hopeless. He did succeed in eliminating a ridiculous clause of the Tariff Act which permitted a fraudulent importer to compel the government to take and pay for the goods at his own valuation plus 5 per cent, and this was an important service. But the administration was committed to a tariff for revenue only, and the Whigs could do nothing but talk. When the bill was carried in the Senate by the casting vote of Vice President Dallas, Philip Hone wrote, "The tariff of 1842 is destroyed, the industry of the country laid at the feet of foreign competition, and national prosperity sacrificed to party discipline."[2]

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[1] Stanwood, *Tariff*, II, 40 ff.

[2] Webster to Mills, July 24, 1846 (National Edition, XVIII, 231).

The Sub-Treasury, put into operation in 1840, had been repealed by the triumphant Whigs in 1841; and now the victorious Democrats were bent on its restoration. On August 1, Webster made a speech recapitulating the familiar arguments against the plan,[3] but he might as well have tried to hold back the Merrimack with a broom. The bill passed readily, and the Independent Treasury proved to be eminently workable as part of our financial system.

The River and Harbor Bill of this session was the occasion of one of Webster's most theatrical speeches. The measure had passed the House, but was being opposed in the Senate by believers in "strict construction" of the Constitution. Congressman John Wentworth, of Illinois, had appeared before the Committee on Commerce in defense of an appropriation for an artificial harbor at Little Fort, now Waukegan, on Lake Michigan. One morning, while Senator John A. Dix, of New York, — whom Webster had known as a baby in Boscawen, — was speaking against the Little Fort project, Wentworth sat in the Senate lobby, much dejected, watching Webster pacing up and down in his restless way. Wentworth, who was a Democrat, did not dare appeal to Webster; but finally, in passing, the latter queried, in his sepulchral tone, "Wentworth, what is Dix making all this ado about?" This gave Wentworth his opportunity, and he explained the problem in detail. "I see the point," said Webster, and went at once to his seat. When Dix had finished, Webster took the floor and delivered an impassioned speech on the growth of the West, dwelling on the point that nothing in the Constitution was intended to prevent the construction of a harbor where the necessities of commerce required it. He concluded with a vivid description of a vessel, laden with merchandise, setting out from Chicago and meeting with a terrific storm. With thrilling eloquence, he depicted the dashing waves, the howling winds, the creaking timbers, the shrieking passengers, and finally the sinking of the ship with all on board — all because there was no harbor at Little Fort! "What but a merciful providence saved me from such a catastrophe when I passed over Lake Michigan in 1837!" he cried; and his auditors shivered at the very thought. As Webster sat down, Benton turned to Wentworth and said, "That is the greatest speech upon so small a matter that I ever heard."[1] The bill, thanks to Webster, was passed without amendment, but unfortunately received the presidential veto.

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[1] Webster to Fletcher, July 27, 1846 (National Edition, XVIII, 231).

[2] Hone, II, 282. Entry for July 30, 1846.

[3] National Edition, IX, 244 ff.

According to the prejudiced Hone, the session had been "the most corrupt, profligate, and disastrous" in our history.[2] But it ended on August 10, and Webster, more tired than usual, was at home in Marshfield five days later, in time for a "good chowder," and never more eager to "see Blue Fish Rock and smell the sea."[3] For some weeks he remained in seclusion, restoring his depleted vitality, and he did not appear in public until the Whig Convention on September 23 in Faneuil Hall.

The Whig Party, somewhat disorganized by failure, was in the midst of an internal quarrel which seemed likely to cause a permanent breach. Certain antislavery delegates, led by Stephen C. Phillips, were insistent that the Convention should come out positively against negro servitude. A more conservative group, however, felt that the dangerous issue of slavery should be avoided and that the Whigs should keep their organization intact and spend their vigor in fighting the Democrats, especially on the tariff. In the midst of a spirited debate precipitated by certain resolutions committing the Whigs to abolitionism, a murmur announced to the Convention that Daniel Webster had arrived in the rear of the hall. As he walked slowly down the aisle to the platform, all eyes turned in his direction, and the applause and cheering waxed in volume. When he took his seat on the platform and looked ominously about him, the assembly became quiet. Everybody knew that Webster was opposed to any agitation of the slavery question at that time; and when the abolitionist resolutions came up, no one dared to raise his voice for them. By the sheer force of his personality he had dominated the Convention. He had his will without uttering a single word. . . . When the vote had been taken, however, Webster was called upon, and, in a brief address, urged the Whigs to stand together. "In the dark and troubled night which is now upon us," he said, "I see no star above the horizon promising light to guide us but the intelligent, patriotic, *united* Whig party of the United States."[1]

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[1] Wentworth, pp. 37–38.

[2] Hone, II, 283. Entry for August 12, 1846.

[3] National Edition, XVIII, 233.

Still loyal to his friends, Webster appeared at a Whig rally in November in Faneuil Hall to speak in behalf of Briggs, who was again a candidate for Governor. By this date, Webster had arrived at a realization of the menace of the Liberty Party, to which he attributed both the election of Polk and its inevitable consequence, the Mexican War. With obvious disregard of constitutional law, he declared that the conflict was illegal in its origin; and elicited "rapturous applause" by saying that the President was guilty of an "impeachable offense" for involving the country in a war without the consent of Congress; and he asserted with peculiar emphasis that there should never be "another annexation of slave territory to this Union." In conclusion, with his mind fixed on Garrison and the radical abolitionists, he said that "no true Whig can for a moment contemplate disunion" and announced that the Constitution was "the rallying point of all true Whigs, and should be so, forever."[1] At the state election, Briggs had a good majority over his competitors.[2] So far as Massachusetts was concerned, Webster's appeal had been successful.

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[1] Pierce, *Sumner*, III, 122–28. National Edition, XIII, 327–29.

The really important event of the autumn for Webster was a huge testimonial dinner given to him by certain business men of Philadelphia. The vote of Pennsylvania had been cast for Polk and Dallas in 1844, largely because Polk had been misrepresented to be a protectionist. Now the manufacturers of the state were aroused, and wanted Webster as their spokesman. On the evening of December 2 a great throng of subscribers and guests assembled in the hall of the Philadelphia Chinese Museum, which had been ornately decorated for the occasion. Webster's speech was almost interminable.[3] When he was tired of talking, he had a friend drone out pages of statistics, and the reporters finally slunk away in despair. In substance, however, it was one of those periodical statements of his political creed which he was accustomed to present to the public, and it is a significant historical document.

Webster had nothing good to say for the Democrats. He condemned the management of the Oregon question; he reviewed our policy towards Mexico, maintaining that Taylor's advance to the Rio Grande was the unjustifiable act which precipitated the war; and he criticized severely Polk's veto of the River and Harbor Bill. But it was on the tariff that he dwelt at greatest length, and his remarks were naturally wildly applauded in a district where iron and coal were demanding protection. "My object is," he said, "to obtain, in the best way I can, and when I can, and as I can, full and adequate and thorough protection to the domestic industry of the country, upon just principles."[1]

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[1] The full speech is printed in National Edition, XIII, 330 ff.

[2] The exact figures were Briggs, 54,831; Davis (Democrat), 33,199; Sewall (Liberty), 9997; and Baylies (Native American), 3423.

[3] The speech filled fourteen columns of the *United States Gazette*, and occupies fifty pages in his works, not including some material which was later added as an appendix. (National Edition, IV, 7 ff.)

This period was not the most creditable of Webster's career. He was playing again the part which he had assumed during the War of 1812 — that of a persistent and annoying censor of the administration. He was in factious opposition to a government which was, under many difficulties, carrying on a war at a distance of thousands of miles. While General Taylor was marching into Mexico, Webster was threatening vaguely to impeach James K. Polk. While our soldiers were laying down their lives far from home, Webster could think of nothing but the tariff. But he was soon to have a very personal interest in the efficiency with which our invasion of foreign territory was pursued.

Webster's younger son, Edward, after attending Exeter and graduating from Dartmouth in 1841, had studied law in Washington and Boston, and, in 1843, had been appointed Secretary of the Commission for establishing the boundary line between the United States and Canada. This work had been absorbing, for he himself, with assistants, had surveyed a large section of the border country. While he was in Washington preparing his report, war broke out, and he at once resigned his secretaryship and proceeded to Boston, where, against the wishes of all his family, he recruited the first company of volunteers accepted by the Commonwealth. In December, the Secretary of War called for a regiment from Massachusetts, and the task of enlistment went forward rapidly. Caleb Cushing, who had military ambitions, was elected in January as Colonel of the First Massachusetts Volunteers, Edward Webster being one of the defeated candidates. As Senior Captain, he went south in February 1847, accompanied by Webster's faithful negro servant, Henry. During the early winter, Daniel Webster was in poor health, and he was much troubled by the hazards which his son was about to endure.

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[1] The famous "hat daguerreotype" of Webster was taken on December 3, 1846, the morning after this address. As Webster entered the gallery of Mr. Richards, the daguerreotypist said, "Stand just as you are, Mr. Webster; we wish to take you first with your hat on." "Your first will be your last, young man," was the reply. In eleven seconds, it was over, and Webster said, "What, all done? Why, in Boston they will set your damned eyes out." (*McClure's Magazine*, May 1897.)

The Congressional session of 1846–47 was not one in which Webster took a very conspicuous part. He did, however, conceive it to be his duty to stand out resolutely against any project for adding to our own territory at the expense of Mexico. When the Wilmot Proviso was again brought up as an amendment to a bill for an appropriation of $3,000,000 for extraordinary war expenses, Webster was one of its advocates. Always an anti-expansionist, he felt that the country was large enough, and, regardless of slavery, he did not wish the United States to increase its area. But, practical philosopher that he was, he recognized the temptation towards our aggrandizement, and he desired some guarantee that, if part of Mexico were annexed, it should not be made into slave states. Hence he voted consistently for the Wilmot Proviso, and indeed always claimed that it had originally been his idea.

When the Proviso had been blocked by his opponents, Webster introduced in the Senate two resolutions: one declaring that the war ought not to be continued for the acquisition of Mexican territory; the other, that Mexico should be notified that we were ready to treat for peace on an equitable basis. Beyond being a statement of Whig opinion, the resolutions were useless, for the administration had faith that the northern section of Mexico was ours by Manifest Destiny. When the Senate defeated another resolution of a similar tenor, brought up by Berrien, of Georgia, Webster rose for a final protest.[1] Taking as a text certain resolutions passed by the Massachusetts General Court, he warned the administration that the people of his state "would strenuously resist the annexation of any new territory to this Union, in which the institution of slavery is to be tolerated or established." Then, analyzing the vote on the Berrien Resolution, he showed that, if the North had presented a united front and the Whigs had stood together, it must have passed.

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[1] Speech of March 1, 1847 (National Edition, IX, 253 ff.).

Webster failed to see that the problem was not merely one of the extension of slavery. It was doubtless true that Southern slave-holders and their political leaders welcomed an opportunity for giving the slavery system preponderance in our government. But this does not explain why Northern Democrats were so consistently imperialistic in their views. Men like Caleb Cushing, for instance, were actuated primarily by the ambition to build up on the North American continent a vast domain which would be the seat of a mighty Anglo-Saxon republic. The restless pioneer spirit which had already claimed the Mississippi Valley could not be restrained by the Rocky Mountains. When Webster cried, "We want no extension of territory, we want no accession of new States," he was trying unconsciously to block the operation of a great national and racial migration. We can now see that the rise of a rival country on the Pacific Coast would have fostered future strife, and that it has been for the good of humanity that the United States became one nation, from ocean to ocean.

As the session closed, Webster could discern in the future nothing but "contention, strife, and agitation." But allowance must be made for his illness and fatigue. Thanks to Taylor, the United States already had control of a considerable portion of northern Mexico. The armistice which he had arranged was not approved by Washington; and, on November 5, he notified Santa Anna that hostilities would be resumed ten days later. During the autumn, furthermore, California had been occupied and Santa Fe had been captured by Colonel Kearny. As the most decisive step in an aggressive campaign, General Scott's army was being rapidly organized, in part through veterans taken from Taylor, and plans were formed for an invasion of Mexico from the east.

In February, Webster wrote to Fletcher: "The Peace rumors continue, & there must be something in them. The Administration expects no more fighting."[1] Almost at that moment, "Old Rough and Ready" was winning one of the most glorious of American military triumphs. As if indifferent to orders from Washington, he pushed forward to Saltillo and Agua Nueva, and remained there, even when his forces were depleted. Santa Anna, seeing what he thought to be a favorable opportunity, marched north with fifteen thousand men and attacked Taylor's much smaller army on Washington's Birthday, in 1847. On the following day, what looked like a defeat was turned into an American victory by the tenacity of our soldiers. While Whig orators were fulminating in Congress, Taylor, standing his ground stolidly on "Old Whitey," with the enemy bullets whistling about his head, was winning the battle of Buena Vista. Although he could not have foreseen it, he was also wrecking the ambitions of Daniel Webster and making himself President of the United States.

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[1] Webster to Fletcher (National Edition, XVI, 470–71).

XXIII

SORROW UPON SORROW

> Webster sot matters right in thet air Mashfiel' speech o' his'n; —
> "Taylor," sez he, "aint nary ways the one thet I 'd a chizzen."
>
> — LOWELL, The Biglow Papers

> Now the Whigs of Massachusetts, and I among them, are of opinion that it was not wise, nor discreet, to go to the army for the selection of a candidate for the Presidency of the United States.
>
> — WEBSTER, Marshfield Speech, September 1, 1848

WEBSTER was receptive to a nomination for the Presidency in 1848. Unremittingly he had toiled for Harrison in 1840 and for Clay in 1844; now he felt it only just that he should have his chance. He could count on the support of many wealthy and aristocratic Whigs; and the huge crowds which gathered wherever he spoke seemed to attest his popularity. But the practical politicians in the party demanded a more "available" candidate. In his long service in Congress, Webster had made too many enemies; his views on public questions were too well known; and he was getting old. What they were hunting for was somebody less familiar, whose past would not be troublesome.

Recalling how they had shouted their way to victory under "Tippecanoe and Tyler too!" the strategists scanned the war horizon for a military hero. Suddenly there loomed up the figure of "Old Zach" Taylor — a trifle crude and awkward, perhaps, and a little shadowy in his political opinions, but undeniably honest and patriotic. Surely something could be made of him! And so began the creation of another presidential myth. The stolid Taylor, a rugged fighter who liked to sit in his shirt sleeves and had spent most of his life battling against Indians, became a gallant knight. His deeds were magnified by the Whig press until the querulous old gentleman seemed like an Alexander or a Napoleon. The news of Buena Vista, reaching Washington in early April, lent color to the picture. Webster wrote shortly afterwards: "Gen. Taylor's popularity seems to spread like wild fire. They say it is likely to break down party divisions, entirely, in the South & West."[1]

Before the close of the session, Webster had planned a trip to the South — a trip which Whig journals persisted in calling an "electioneering journey." He made arrangements with Edward Everett for a new edition of his speeches, and of his letters and papers as Secretary of State, which would place his name favorably before the country.[2] Some important litigation prevented his going north and delayed his departure on his tour. He was still in Washington when the houses were illuminated over the triumph at Buena Vista, and, when he left for Richmond on April 28, it was with the dread that "Old Rough and Ready" would be the next Whig standard-bearer.[3]

The Webster party consisted of Senator and Mrs. Webster, and the latter's younger friend, Miss Josephine Seaton, daughter of William W. Seaton, then Mayor of Washington. Two servants were also taken. Their route involved a variety of methods of transportation, by boat, stagecoach, and railroad. Going down the Potomac to the landing at Aquia Creek, they proceeded by train to Richmond, and then, through Petersburg and Henderson, to Raleigh, which Webster described as "an active little city, built on the east side of the river, on sand hills." Thence they drove through the "tar and turpentine country" to Goldsboro, where they rejoined the railway and were carried to the coast at Wilmington. An overnight ride by steamboat brought them to Charleston, which looked to them "very much like some parts of London, much more so than any other city in the United States." Later they stopped at Columbia, Augusta, and Savannah, and finally an ocean voyage returned them to Boston, after rather more than five weeks of traveling.[1]

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[1] Webster to Fletcher, April 18, 1847 (National Edition, XVI, 473).

[2] Webster to Everett, March 21, 1847 (*Ibid.*, pp. 471–73).

[3] Webster to Fletcher, April 25, 1847 (*Ibid.*, XVIII, 239).

Webster's tour had all the features of an imperial progress. The details of his entertainment in each important city were carefully arranged in advance by committees, who avoided all evidences of partisanship. It is true that a Democratic paper like the Richmond *Republican* hailed him as "the Great Dragon of Old Federalism," and that the unconverted Charleston *Mercury* referred to his sojourn in that city as a matter of no importance. But he was everywhere treated as an honored guest. South Carolinians, especially, with their recollections of the Webster-Hayne Debate, regarded his arrival as an opportunity for the display of that chivalry upon which they so justly prided themselves, and showed the politeness of Cavalier to Puritan during an interval in the conflict. Officially Webster was only a Senator, but actually he was a national institution. Even those who did not wish to see him in the White House were proud that he was an American.

There has been much whispered mystery about this Southern adventure. During its early stages, he was, despite some unseasonable rain and cold, in normal health and spirits. At Richmond, on the morning after his arrival, he was up and stirring before five o'clock, and, from his room in the Exchange Hotel, wrote to Mrs. Paige one of his most delightful letters, containing a glowing description of the dawn. "Among all our good people of Boston," he said, "not one in a thousand sees the sun rise twice a year. They know nothing of the morning. Their idea of it is, that it is that part of the day which comes along after a cup of coffee and a beefsteak, or a piece of toast."[2]

Two weeks later, he was in Columbia, the capital of South Carolina and the seat of the State College. Evidently something had happened, for his friend, Professor Francis Lieber, wrote: "Mr. Webster did not make himself agreeable here.

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[1] For a more detailed account of this tour see Fuess, "Senator Webster Goes South — a Study in Hospitality," in the *Proceedings of the Massachusetts Historical Society*, LXII, 161–71, June 18, 1929.

[2] Webster to Mrs. Paige, April 29, 1847 (National Edition, XVIII, 240).

The students illuminated their houses, the chapel windows, and public buildings; they had bonfires, music, and a torchlight procession; but he remained cold, torpid, like an alligator, and was in his intercourse absent to a degree of discourtesy which many considered rudeness." What had wrought this rapid transformation? Some biographers have attributed it to discontent with political conditions in the South, but this explanation is unsatisfactory. Soon after reaching Augusta, he retired to his bed, ill with what he called a "remittent fever." He wrote, "My attack was bilious and feverish, not unlike the one I experienced ten years ago, in the same season of the year; a little inflamed, perhaps, by climate."[1] The fact is that he was a victim of Southern hospitality.

Since leaving Washington, Webster, for a man no longer young, had been very busy. In every city, he had been subjected to an address of welcome by a foremost citizen and entertained at public dinners and receptions. It seemed as if he were always being escorted to something or from somewhere! There were also smaller and more private banquets, at which the supply of Southern delicacies and rare wines was inexhaustible. Webster had resolved to be temperate. Often he withdrew from the table while the bottle was still being passed, and he soon found it hygienic to sleep later in the morning than he had been accustomed to do. But the warmth of his greeting imposed an obligation upon him, and he undoubtedly ate and drank more than he should have done. The contemporary accounts of the festivities which he attended suggest that they were not arranged by teetotalers; and Southerners discovered that Webster was no sour-faced and austere Puritan, but a boon companion, with social charm and easy manners — at least until he was exhausted by good cheer.

The receptions at Richmond, Raleigh, and Wilmington were cordial, but Charleston outdid itself in hospitality. Calhoun, who had received an official welcome there only a few weeks before, now tactfully retired to his plantation at Fort Hill; but his followers were most amiable towards Webster. The dinners of the New England Society and of the Charleston Bar were memorable, not only for their gayety, but also for their obliteration of prejudices. There was one critical moment when former Governor James Hamilton, the least reconcilable of the South Carolina secessionists of the "1830's," introduced the subject of the Webster-Hayne Debate, only to have Webster rise and call suavely for a health to the memory of Robert Y. Hayne.

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[1] Webster to Fletcher, May 23, 1847 (National Edition, XVIII, 254).

Some of the Northern Whigs declared that Webster should not have accepted courtesies from South Carolinians, and the usual fanatics aired their bigotry in communications signed "Justice" and "Libertas." But he lapsed into no blunders. "The people are all kind and civil," he wrote, "and I get along with the Nullifiers, without making any sharp points."[1] He spoke frequently, but often in a facetious mood, and he was careful to avoid politics.

Webster had an insatiable curiosity, especially on agricultural matters. At Raleigh, he observed methods of making pitch and turpentine. At Charleston, he was the guest of Colonel Jonathan Lucas, at his rice plantation on the Cooper River, and even insisted that he be allowed to shoot an alligator.[2] At Columbia, he visited Millwood, the "great and profitable plantation" of General Wade Hampton, where he studied the cultivation of cotton. He spent a day with two local anglers, and convinced himself that the fishing was much better than on Cape Cod. He noted the pernicious influence on society of the abolition of the right of primogeniture, and remarked that it had "broken in upon the whole old-fashioned aristocratic system of Southern life."[3]

At Augusta, Georgia, Webster had just enough strength to listen to one more address of welcome and then to summon a physician. What he needed most was a period of fasting and rest, both of which he obtained by isolating himself in bed. When he was able to get up a few days later, he was still so weak that his doctors advised against his going on to either Nashville or New Orleans, as he had planned. He was quite ready to listen to them, for it was getting hot in Georgia, and he longed for the stimulating breezes of Marshfield.

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[1] Webster to Fletcher, May 10, 1847 (National Edition, XVIII, 245).

[2] This story, usually describing the victim as a crocodile, went the rounds of the press. Webster used a shotgun loaded with buckshot. A local reporter wrote, "Although Webster did not succeed, from the smallness of the load, in killing him, yet we are confident, from the splashing which followed, that he made upon him, as he never fails to make upon everybody, a very *deep impression.*" Webster himself boasted that his shot made the alligator "jump well, and lash the water with his tail, till it foamed like the track of a boat." (*Ibid.*, pp. 248–49.)

[3] Webster to Mrs. Paige, May 9, 1847 (*Ibid.*, p. 244).

The committee who met his special train on its arrival in Savannah were shocked to see that he was "not a little reduced and enfeebled by his illness." They did not, however, modify their arrangements, and Webster was introduced by Justice James M. Wayne, of the United States Supreme Court, to a vast gathering in Monument Square. Wayne, referring gracefully to Webster's career as a constitutional lawyer, said, "The effort of your life has been to maintain that Constitution in all that you believe to be its legitimate powers." Webster made the significant reply, "Our duty is to be content with the Constitution *as it is*, to resist all changes from whatever quarter, to preserve its original spirit and original purpose, and to commend it, as it is, to the care of those who come after us."[1]

Seldom was Webster's conservatism more positively expressed than in these words. He was endeavoring to convince the South that the protection accorded to slavery by the Constitution would not be disturbed by him, and to protest publicly against the recent attempts by the abolitionists to defy its plain intent. When this speech was reported in the North, it was savagely assailed by the Garrisonians, and Webster was accused of truckling to slave-holders. He was, in reality, asserting again the doctrine which, at Richmond, he had phrased in the toast: "The States of the Union! Distinct like the Billows, but One like the Sea!"

Webster was back at Marshfield in early June, very glad to be alive after his ordeal. He spent the summer in "watchful waiting," occasionally appearing in a law case, but keeping out of political affairs. He declined an invitation to attend the Northwestern Harbor and River Convention in July, but sent a long letter reiterating his belief in internal improvements.[1] In August, at The Elms, when he was called upon for remarks at the opening of the Northern Railroad from Franklin to Grafton, he entertained his listeners with reminiscences of his boyhood.[2] The railroad was no unmixed blessing to Webster, for the tracks were laid across his meadows, only fourteen feet from the corner of his house.[3]

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[1] Speech at Savannah, May 26, 1847 (National Edition, IV, 100).

Meanwhile tidings had been arriving of the picturesque march of General Scott and his army of invasion from the *tierra caliente* at Vera Cruz, along the traditional route of Cortez, to Mexico City. It was a glamorous story of difficulties surmounted and audacity rewarded. The brilliant exploit of the Americans in flanking their enemy at Cerro Gordo in April and putting Santa Anna's troops to flight seemed incredibly romantic; and the advance in August from the plateau city of Puebla, through the mountain passes, with snow-capped Orizaba towering in the foreground, was a tale of daring adventure. Democratic newspapers were full of glowing references to the "Halls of the Montezumas" and the "glories of the Aztecs." After the bloody battles of Contreras, Chorobusco, Molino del Rey, and Chapultepec, Scott finally occupied Mexico City on September 14, and Polk's efforts to "conquer a peace" were evidently to be successful. The chief debatable question in the autumn of 1847 was how much of Mexico we should "take."

Massachusetts politics were humming in September. The Democratic Convention, at Worcester, bestowed the gubernatorial nomination on Caleb Cushing, now a Brigadier-General in Mexico. A week later, at Springfield, the Whigs renominated Briggs by acclamation and presented Webster's name for the Presidency. But the session was not entirely pacific. Strong antislavery men, like Sumner, Adams, and Palfrey, clamored for vigorous resolutions against the extension of slave territory. The breach between the "Cotton Whigs" and the "Conscience Whigs" was widening every day.

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[1] Webster wrote Fletcher, July 1, 1847: "I spent all day yesterday, ten hours at least, in doing up Chicago. It is well done." (National Edition, XVIII, 259.)

[2] Speech on August 28, 1847 (*Ibid.*, IV, 107–11).

[3] Webster to Edward Curtis, October 27, 1847 (*Ibid.*, XVIII, 261).

When he was called upon to speak at the Convention, Webster did his best to unify Whig opinion. Carefully reviewing the events leading up to the outbreak of hostilities, he declared that "annexation was the primary cause of the war." He himself felt that the country was already large enough. Even if any newly acquired territory were to be free, he would "deprecate the acquisition." But he would never give his vote in Congress "for any further annexation of territory to this country with a slave representation." To the doctrine of the Wilmot Proviso, he had been committed since 1838, and he could not consent that any more recent discoverers "should claim the merit." He phrased this sentiment even more vigorously when he declared solemnly, "I can only say . . . that we are to use the first and last, and every occasion that offers, to oppose the extension of the slave power."[1]

The ensuing campaign was unscrupulous and scurrilous, especially in the denunciation of Cushing, whom the Whigs considered a renegade. Soon the state was ringing with Lowell's clever *Biglow Papers*, with their venomous insinuations: —

Gineral C. he goes in fer war;
He don't vally princerple more 'n old cud;
What did God make us raytional creetures fer,
But glory an' gunpowder, plunder an' blood?
So John P.
Robinson he
Sez he shall vote fer Gineral C.

Webster wrote several articles for the Boston *Atlas*,[2] but made no speeches. The election was very close, and Cushing, although unable to appear in his own behalf, made a Democratic gain of over 6000 votes; Briggs did, however, have a small majority, and the Liberty and Native American parties lost ground.

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[1] Speech of September 29, 1847 (National Edition, XIII, 345–65).

[2] National Edition, XIII, 365, note. For details of the campaign see Fuess, *Caleb Cushing*, II, 64–72, and Darling, *Political Changes in Massachusetts*, pp. 343–46.

The extension of the railroad throughout New England meant much to Webster in the saving of time and energy. On November 17, when the Northern Railroad was further opened to Lebanon, the train from Boston halted at South Franklin, where Webster was spending a few days at The Elms, and carried him and other guests on a platform car to Lebanon, over the route on which he used to ride so tediously on horseback on his way to Dartmouth. There he made one of those felicitous addresses which so amply refute the charge that he had no lightness of touch. The Dartmouth undergraduates were there, as a matter of course, and one of them later recalled the reverence with which he and his companions managed to get near enough to the great man to touch his "coarse, cowhide boots."[1]

So, too, the railroad enabled Webster to remain at home longer than usual in the autumn of 1847. He was at Marshfield still on December 7, when he rose at four o'clock on "a beautiful clear, cold morning," and heard distinctly in the distance the "rote, or rut, of the sea."[2] Reluctantly he took a last look, and then gave up the peace of the countryside for "toilsome law and wrangling politics."

It was to be a sad and lonely winter for Webster. He took his seat in the Senate on December 20, but he was not inclined to enter into the debates. Reluctantly he had been forced to the conclusion that his presidential aspirations were again to be thwarted. With his customary conscientiousness, he devoted himself to his cases before the Supreme Court, some of which were of great importance; but he was hampered in his activities by a "lingering rheumatism," which the doctors could not seem to thaw out of his bones. His family had remained in Boston, and, on Christmas Day, he was alone in Washington, attended only by his cook, Monica. Altogether he was in a despondent mood, which was reflected in his letters.

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[1] Reminiscences of the Reverend Davis Foster, *Proceedings of the Webster Centennial of Dartmouth College*, p. 200.

[2] Webster to Blatchford, December 7, 1847 (National Edition, XVIII, 262).

Edward Webster, after a period of service under Colonel Caleb Cushing at Matamoros, had been taken seriously ill and had spent part of the preceding summer at Marshfield on a sick leave. During his absence from his command, he was promoted to a majority, and he returned to his duties in the autumn. While on his way from Vera Cruz to Mexico City, he was exposed to rain and cold, which brought on an attack of typhoid fever. He died on January 23, 1848, after an illness of three weeks. The news reached Webster on February 23, and he at once sent off to Fletcher, at Boston, a brief note, beginning pathetically, "My Dear and Only Son."

The same dispatch bearer who carried the tidings of Major Webster's death brought also the official report of a treaty of peace. Polk's envoy, Nicholas P. Trist, after some complicated adventures in diplomacy, including a quarrel with General Scott, followed by a reconciliation, had been peremptorily ordered home from Mexico City; but, before he left, he extracted from the Mexican Government a treaty, signed on February 2, at Guadalupe Hidalgo, making the Rio Grande the boundary between the two countries, and ceding to the United States both New Mexico and Upper California for a compensation of fifteen million dollars.

Although much exasperated with Trist for his conduct, Polk had the intelligence to recognize the good points of the treaty. His cabinet was divided, with Buchanan and Walker offering strenuous opposition to some of its details; but the President finally submitted it to the Senate,[1] where it was hotly debated. Webster moved that discussion of it be postponed, and that the President be asked to appoint a new commission,[2] but his proposal received only scanty support. With some amendments, it was approved on March 10, by a vote of 38 to 14, only four of the negative votes being from New England and the Middle States. As Stephenson says, "When it came to the pinch, the lure of empire broke all party and sectional lines."

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[1] Consideration of the treaty was delayed by the dramatic death of John Quincy Adams in the Hall of Representatives on February 23.

[2] McCormac, *James K. Polk*, p. 548, note.

Although ratification had been achieved, it was still essential that Mexico should accede to the alterations insisted upon by the Senate. By way of a threat, the "Ten Regiment Bill" — a plan for augmenting our military forces — was pressed in Congress and passed, in spite of Webster's opposition. On March 23, when an act appropriating sixteen million dollars for carrying on the war, passed in the House, was under consideration in the Senate, Webster made a formal statement of his objections to the government policy. It was the creed of a disgruntled leader out of touch with his era.[1]

Once again, Webster sounded the familiar jeremiad. "I am," he declared obstinately, "against all accessions of territory to form new states." Unwarned by any prophetic instinct, he added: —

> I cannot conceive of anything, more ridiculous in itself, more absurd, and more affrontive to all sober judgment, than the cry that we are getting indemnity by the acquisition of New Mexico and California. I hold they are not worth a dollar; and we pay for them vast sums of money.

It was an unfortunate utterance. But there was no miraculous messenger to tell him that, two months before, at Sutter's Mill on the American River, James Wilson Marshall had found some yellow grains of gold; nor could he have known that, before the close of 1848, the great trek across the continent would begin. Within a few years, San Francisco was to be a flourishing metropolis. Daniel Webster was never more egregiously mistaken than when he declared that California was "not worth a dollar," at the very moment when its vast metallic wealth, to say nothing of its agricultural resources, was about to be opened up to a greedy world.

Through the damp and dismal winter, Webster's daughter, the gentle Julia Appleton, had been far from well. He tried to induce her to come to Washington, but she was too feeble.

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[1] Speech on February 23, "The Objects of the Mexican War" (National Edition, X, 3–33).

As soon as the Supreme Court docket was completed, he started north, only to find her in the last stages of consumption. She died on April 28, at her house on Winter Street, in Boston, retaining all her faculties to the last, and saying, with her final breath, "Let me go, for the day breaketh."[1]

The strong man was unnerved by these blows of fate. George Ticknor, calling upon him at Mr. Paige's home, found him pacing restlessly up and down the parlor, with an open Bible in his hand, eager to talk about Julia and her character. The funeral was held on May 1. Only a few hours before, the body of Major Webster arrived from Mexico, and he was buried with military honors four days later. When the mournful rites were over, Webster went for recuperation to Marshfield, where he planted on the lawn two weeping elms, which he called the "Brother and Sister."

There were now left to Webster only his wife, his son Fletcher, and seven grandchildren, of whom five were Appletons and two Fletcher's children. Of blood relatives of his own generation, he could have said: —

They are all gone into the world of light,
And I alone left lingering here.

After the spring of 1848, the references in his letters to his age and his failing health increase in a marked degree.

Meanwhile political events were taking a turn unfavorable to his aspirations. Repeatedly during his career, Webster had stood aside for lesser men, and he now felt himself entitled to consideration by the Whigs. But he had no chance. Assisted by well-directed propaganda, Taylor had caught the popular fancy; and, when a confession was extracted from him that he was "a Whig, but not an ultra Whig," the stage was set for his candidacy.

Webster's affairs were stupidly managed. Probably he

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[1] Julia, as the entries in her Diary show, was a woman of singular faith, piety, and humility, with a consciousness of her spiritual shortcomings which is reminiscent of eighteenth-century Puritanism. "To-day I am twenty-six," she wrote on January 16, 1844. . . . "My little children, if you should reach this age, may you be able to look back on a youth better spent than your mother's." (MS. Diary.)

JULIA WEBSTER APPLETON

From a portrait in the possession of her grandson, Daniel W. Armistead

could not, under any circumstances, have won the nomination, but his friends in New York City, in their zeal to eliminate Clay, signed a call for a Taylor mass meeting. Although this action had little influence on the inevitable result, it conveyed the impression that Webster himself had abandoned hope. To him, it seemed like treachery, and he wrote a reproachful letter at once to Blatchford, complaining of his betrayal.[1]

During the winter, other misguided followers had stunned him by hinting that he could, if he wished, have the Vice Presidency, with Taylor as the presidential candidate. The intimation that a soldier with no previous experience in governmental matters should take precedence over a man who had made them his life study was most disconcerting to Webster, who rejected the ignominious proposal. When Mrs. Appleton showed her indignation at the suggestion, Webster wrote, "I am allowed to be the first farmer in Marshfield, South Parish, and I am content with this, unless I should be called upon to be first, elsewhere, when I can do more good."[2] By a crowning stroke of irony, he would, if he had accepted the offer, have succeeded to the Presidency at Taylor's death, and thus, through an indirect route, would have ended his days in the White House.

The Whig Convention opened on June 7, in the long but inconveniently narrow auditorium of the Chinese Museum, on Ninth and George Streets, in Philadelphia. The Massachusetts delegates included George Lunt and Rufus Choate, the latter of whom could have been Chairman if he had cared to serve. On the evening of June 8, Webster's name was presented by Asahel Huntington, of Massachusetts, in a stirring speech; but, on the first ballot, Taylor led with 111 votes, against 97 for Clay, 43 for Scott, and 22 for Webster. Webster's support came entirely from the Northeast and included 12 votes from Massachusetts, 6 from New Hampshire, 3 from Maine, and 1 from New York. It was virtually certain from the beginning that this would be his maximum strength, and the Boston *Atlas*, on June 9, recognized the situation by coming out for Taylor. If Clay's followers had turned to Webster, the latter might have been successful. Instead, they changed on the fourth ballot to Taylor, who was accordingly nominated, with 171 votes, against 32 for Clay, 63 for Scott, and 14 for Webster. Charles Allen, of Worcester, created a sensation by shouting, "The voice of the free states has been disregarded," and declaring the Whig Party dissolved.

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[1] Webster to Blatchford, January 30, 1848 (National Edition, XVI, 491–92).

[2] Webster to Julia Appleton, February 14, 1848 (*Ibid.*, XVIII, 270).

Still faintly hopeful, Webster had remained in Washington awaiting the results; and, as soon as the nomination was made known, he wrote to Fletcher, "Keep entirely quiet till I see you."[1] He was in a dilemma. The Whig Convention had refused to commit the party on any of the important current issues, but had frankly relied on the military popularity of "Old Rough and Ready"; and Webster did not believe that Taylor was qualified for the Presidency. On the other hand, the Democratic choice had fallen two weeks before on Lewis Cass, whom Webster regarded as a dangerous militarist and Anglophobe. As soon as the Convention was over, pressure was brought to bear upon him not to come out in opposition to Taylor, and, after consulting friends, he wrote Fletcher, "I can see no way, but acquiescence in Taylor's nomination; not enthusiastic support, nor zealous approbation; but acquiescence, or forbearance from opposition."[2] Most of the Whigs were loyal. A great Taylor Ratification Meeting, presided over by Abbott Lawrence and attended by Webster's Boston adherents, was held on June 16, in Faneuil Hall. In spite of Fletcher's advice to remain neutral, Webster saw no course open to him but "to *fall in*, & acquiesce."[3]

There was another possibility. The Free Soilers had thrown out hints that they wanted him for their leader, and he had considered the suggestion. No one of them had been a more consistent opponent than he of the extension of slavery beyond the limits established by the Constitution. On the other hand,

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[1] Webster to Fletcher, June 10, 1848 (National Edition, XVI, 495).

[2] Webster to Fletcher, June 16, 1848 (*Ibid.*, p. 495).

[3] Webster to Fletcher, June 1848 (*Ibid.*, p. 497).

Webster's innate conservatism made him distrustful of abolitionists. At that time, the antislavery forces were split into two groups: one, headed by Garrison, disdained legal processes for putting slavery out of existence, refused to go to the polls, and relied on continuous agitation through the unsparing and indiscriminate abuse of all slave-holders; the other, more reasonable and practical, believed in freeing the negro, but through political means. For the second group, Webster had some respect.

William Lloyd Garrison was not a man whose virtues Webster could appreciate. Because of his eagerness for change, he had become a promiscuous advocate of "every infidel fanaticism afloat." He was mild of manner and soft of voice; indeed, Lowell said of him: —

> There's Garrison, his features very
> Benign for an incendiary;
> Beaming forth sunshine through his glasses
> On the surrounding lads and lasses.

Gullible and artless, he had faith in nostrums of all varieties, and swallowed uncritically bottle after bottle of pills and patent medicines. So in social affairs he was ready to try all sorts of remedies, some of them effectual, others the product of quackery, without discriminating between what was beneficial and what was injurious. He attempted to prevent indulgences in alcohol and tobacco; he objected to capital punishment, imprisonment for debt, international boat races, and a monument to Robert E. Lee; and he was one of the earliest and most zealous advocates of women's rights. But the mission of his life was "the complete and immediate abolition" of negro slavery, and, to this end, all else was subordinated. It is his glory that he kept the opposition to slavery always at white heat. When churches did not support him, he called them "cages of unclean birds and synagogues of Satan." When the Constitution of the United States was invoked against him, he described it as "a covenant with death and an agreement with hell." A philosophical non-resistant, he did not favor resorting to arms to free the negro; but he did take the position that the North must separate from the South, and he became as uncompromising a secessionist as R. Barnwell Rhett or Jefferson Davis. How the splitting up of the United States would abolish slavery, Garrison never satisfactorily explained.

With such radical doctrine, Daniel Webster could have no sympathy. He, too, hated slavery. But he viewed the problem, first of all, from a national standpoint, with regard for Southern rights as well as for Northern demands; and he could not dismiss so easily the practical difficulties which must be solved before the negro could be emancipated. It was a matter of proportion. Garrison wanted slavery exterminated *at any cost.* Webster, loving his country and keeping in mind the diverse elements which composed it, had to consider the preservation of the Union. An alliance of any kind between him and Garrison was inconceivable. Each was the antithesis of the other.

Like most well-meaning reformers, the abolitionists could be most exasperating, and they annoyed Webster, not only by their extremist doctrines, but also by their persistent catechizing. He had always opposed slavery, and they knew it, but they were unceasing in their attempts to draw him into a more radical statement. He was rightly angered by those critics who would not believe that he was an antislavery man unless he repeated the declaration once a week.[1]

The Free Soilers, gathering at Buffalo in August, finally nominated Martin Van Buren for the Presidency, under the slogan, "Free Soil, Free Speech, Free Labor, and Free Men." The delegates were largely disgruntled Democrats, who refused to support Cass, but there were others, like Charles Francis Adams and Ebenezer Rockwood Hoar, who represented the "Conscience Whigs." If Webster had merely nodded his assent, he could doubtless have been the party nominee.

At that moment, however, he was back in Congress, where the vital question of territorial organization was being discussed. In connection with a bill for administering Oregon, Stephen A. Douglas had proposed an amendment continuing the Missouri Compromise Line to the Pacific. Webster, on August 12, in a vigorous speech, outlined the history of slavery extension, showing that the Constitution had recognized the existence of negro servitude in certain states; that Congress had not the slightest power over it, or right to interfere with it, in these states; and that, out of foreign acquisitions, five slave-holding and one free state (Iowa) had been added to the Union. Declaring that every possible concession had been made to the South, he announced that he would consent "to no extension of the area of slavery upon this continent, nor to any increase of slave representation in the other house of Congress."[1]

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[1] Webster to Hoar, August 23, 1848 (National Edition, XVI, 498–99).

Ebenezer Rockwood Hoar, a prominent Free Soiler, promptly wrote to Webster, commending him for his speech and urging him to come out for the Free Soil ticket. "One word from you," he said, "would blow out of existence this Taylor faction throughout New England, and through the North, in twenty-four hours."[2] In reply, however, Webster said: "It is utterly impossible for me to support the Buffalo nomination. . . . I would much rather trust Genl. Taylor than Mr. Van Buren even on this very question of slavery, for I believe that Genl. Taylor is an honest man, and I am sure he is not so much committed on the wrong side as I know Mr. Van Buren to have been for fifteen years."[3]

Some of Webster's critics, particularly Henry Cabot Lodge, have deplored Webster's unwillingness to assume the leadership of the Free Soil Party in 1848. At least three factors entered into his decision. First of all, he did not wish to be identified with the radical abolitionists. In the very speech which had so much pleased Hoar, Webster had said, "All agitations and attempts to disturb the relation between master and slave, by persons not living in the slave states, are unconstitutional in their spirit, and are, in my opinion, productive of nothing but evil and mischief."[1] Words like these were not palatable to many of the agitators who had met at Buffalo. In the second place, Webster had a long-standing and deep-seated distrust of Van Buren, which nothing could eradicate. In the third place, he really did not like changes. It is amusing to find him complaining when he was obliged to move from the Tremont House, in Boston, to the Revere House. "If I were shut out of the Astor," he wrote whimsically, "I would never go to New York again."[2] This trivial remark symbolizes his political position. He had helped to form the Whig Party; his friends were members of it; and he could see nothing to be gained by leaving it.

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[1] Remarks on August 12, 1848 (National Edition, X, 43).

[2] Hoar to Webster, August 13, 1848 (*Ibid.*, XVI, 499).

[3] Webster to Hoar, August 23, 1848 (*Ibid.*, pp. 498–99).

When Webster was finally able to escape in late August to the North, he found people anxious to hear what he had to say on the campaign. Some of his neighbors at Marshfield had asked him to express his opinion "with boldness and distinctness." On the lawn at the Old Winslow House on a corner of his own estate, he met his fellow citizens, and, among friends, explained how he felt, well aware that his views would appear under large headlines in newspapers from one corner of the country to the other.[3]

What Webster did was to come out, without any enthusiasm, for Taylor. Poore, a purveyor of scandalous gossip, is responsible for the assertion that Webster was induced, by the payment "of a considerable sum of money," to make this speech;[4] but there is no evidence whatever to substantiate this charge. After all, Webster was a practical statesman, not a visionary like Garrison. Of the three candidates presented, — Taylor, Cass, and Van Buren, — one was certain to be President, and, although he liked no one of them, it was wisdom to choose the least obnoxious. In all fairness, Webster acknowledged that Taylor was "an entirely honest and upright man" and that his conduct since he had been a candidate had been irreproachable. He had been selected, not by delegates who wished to extend slavery, but by strategists who wanted a leader who could win.

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[1] National Edition, X, 38.

[2] Webster to Blatchford, August 1849 (*Ibid.*, XVIII, 340).

[3] Remarks at Marshfield, September 1, 1848 (*Ibid.*, IV, 123-44).

[4] Poore, I, 346.

As between Cass and Van Buren, Webster preferred the latter, regarding him as less menacing. Of Cass, he said, "I hold him in the present state of the country to be the most dangerous man upon whom the powers of the executive chief magistracy could well be conferred." But he also pointed out that Van Buren's record made him an absurd Free Soil candidate, and he drew a ludicrous picture of the situation which would result if the two ancient foes were united. "If he and I now were to find ourselves together under the Free Soil flag," said Webster, "I am sure that, with his accustomed good nature, he would laugh. . . . That the leader of the Free Spoil party should so suddenly have become the leader of the Free Soil party would be a joke to shake his sides and mine."[1]

Webster's endorsement of Taylor was half-hearted — but it was an endorsement. Lowell, in the *Biglow Papers*, made B. Sawin, Esq., say of Webster's declaration: —

> It takes a mind like Dannel's, fact, ez big ez all ou' doors,
> To find out thet it looks like rain, arter it fairly pours.

Doubtless he would have done better for his party if he had contented himself merely by directing attention to Taylor's virtues. But Webster's failure to secure the nomination still rankled, and he could not be entirely generous. His aim, as he phrased it, was to place himself "in a position of entire independence, fearing nothing, and hoping nothing personally, from . . . failure or success."[2] He had not done enough to gain the confidence of General Taylor, but he had ensured a Whig triumph.

The Whig State Convention, held in mid-September, at Worcester, renominated Briggs for Governor, and, with

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[1] National Edition, IV, 132.

[2] Webster to Blatchford, September 18, 1848 (*Ibid.*, XVIII, 286).

Webster's approval, endorsed Taylor and Fillmore. For the first time in Massachusetts, the Free Soilers assembled in a convention, naming a state ticket headed by Stephen C. Phillips, a former Whig. The orthodox Democrats once more selected General Caleb Cushing, a loyal supporter of Cass. Shortly before the election, at a mass meeting in Faneuil Hall, Webster made a long address, confining himself almost exclusively to the Independent Treasury and the tariff. It was a moment when the majority of Americans were vitally interested in neither topic, and it looked as if he were trying to draw a red herring across the political trail. But his audience had come to hear Webster, not his opinions, and they applauded vociferously when he closed with an expression of confidence in General Taylor.[1]

Webster had picked the successful candidate. When the results were counted, Taylor had 163 votes to Cass's 127, and the Free Soilers had not a single electoral vote.[2] In Massachusetts, Taylor did not secure a majority over Cass and Van Buren combined, but the Whig Legislature chose Taylor electors. Cushing, running far behind Cass, was a poor third in the race. Massachusetts voters had been puzzled, for the issues were complicated, and many staunch partisans were dissatisfied with their party nominees.

At a dinner given by Albert Fearing, the Elector from the Suffolk District, Webster sat on the host's right and listened, ill at ease, while Abbott Lawrence, bursting into an extravagant eulogy of General Taylor, declared that, since Washington, no more worthy person had been chosen to be Chief Executive. Webster's friends considered Lawrence's remarks as insulting and urged their great leader to reply. This he did in a speech of a highly personal and intimate kind. Proud and angry, he broke out, "I say here and now that I am quite aware that I am a man of considerable public importance, not only within the boundaries of Massachusetts, but without her boundaries, and throughout the length and breadth of this continent." Probably not another living statesman could have made such a remark without bringing smiles to the faces of his hearers. But no one smiled at Webster. Instead, tremendous cheering followed, which was redoubled when he closed by saying that he would not so far forfeit his self-respect as to declare Taylor fitted for his high trust.[1]

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[1] Speech in Faneuil Hall, October 24, 1848 (National Edition, IV, 147–74).

[2] Hone entered in his *Diary* on November 8, "The sun of Buena Vista set last night upon the most decided victory ever achieved in this city by the Whig forces, — a perfect rout."

It was difficult for Webster to be gay. His beloved friend, Jeremiah Mason, had died in October, gradually worn out by sheer old age, and Webster had delivered a memorial address upon him before the Supreme Judicial Court of Massachusetts. Edward Everett, broken down by the cares of the Presidency of Harvard, had resigned, and Webster wrote him: "I am tired of Congress. The long sessions wear me down, with their tediousness, as much as their toil."[2] When friends suggested that he might be Secretary of State again, he showed himself receptive to the idea, but he was aware that he had no right to expect any recognition from the new administration. Rather pathetically, he wrote to Blatchford: "My dear friend! I am old, and poor, and proud. All these things beckon me to retirement, to take care of myself, — and, as I cannot act the first part, to act none."[3]

Even after he returned to Washington, Webster kept turning over in his mind the question of a cabinet position, and his correspondence is filled with references to his possible appointment. Although he disclaimed any such ambition, it was seldom out of his thoughts. He was, however, to have no opportunity to decline. In the middle of February, he wrote: "It is not General Taylor's present purpose to offer me a place in his Cabinet, but rather the contrary. It is possible that, after he comes here, he may alter his mind, but not probable; and I hope he will remain as he is."[4] On February 24, as soon as Taylor arrived in the capital, Webster and his son, Fletcher, called on him, but could not be received until evening. Webster was pleased with the interview. "Taylor was pleasant and conversable enough," he wrote, "and by no means of such a harsh and stern countenance as the pictures represent him."[1] Strangely enough, it was the first meeting between the two men. Neither spoke of cabinet appointments, but Taylor had already offered the Department of State to Governor Crittenden, of Kentucky. The latter, in refusing, had recommended John M. Clayton, of Delaware, a loyal Whig, who had worked unstintedly for Taylor's election. It was Clayton who eventually became Secretary of State.

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[1] Harvey, pp. 170–76.

[2] Webster to Everett, November 28, 1848 (National Edition, XVIII, 289).

[3] Webster to Blatchford, December 5, 1848 (*Ibid.*, XVI, 502).

[4] Webster to Blatchford, February 16, 1848 (*Ibid.*, p. 505).

At the moment, Philip Hone reported that "California gold and the cholera" were "two diseases almost equally infectious." The suddenly discovered wealth on the Pacific slope was offering inducements to adventurers, and making it necessary to establish there a stable government. Indeed, the only important matter before the short Congressional session was that of the organization of the new territory acquired from Mexico. Various proposals were introduced, but they all were unsatisfactory as a settlement of the controversy over the legalization of slavery in New Mexico and California. Webster participated in the discussion by advocating an act authorizing the President to take possession of these territories under a temporary military government, leaving their local laws still in operation. It was his conviction that the issue should not be definitely settled until its implications had been carefully considered from every possible angle. There seemed to be no apparent basis of agreement, and the only bill for organizing the new territories adopted during the session was an act for collecting customs duties in California. Thus the Taylor administration was met at its opening with a problem which to many people seemed insoluble.

On Monday, March 5, 1849, an imposing procession formed near Willard's Hotel to escort General Zachary Taylor to the Capitol. He was a short, stocky man, with a weather-beaten complexion, thin gray hair, and side-whiskers. Not accustomed to public speaking, he read so inaudibly that his address was hardly understood even by those immediately in front of him at the eastern portico. Daniel Webster had no part in the day's programme, but he must have been pleased with Taylor's inaugural, for it declared unequivocally the new President's determination to preserve the Union at all hazards. "Old Rough and Ready" may not have been trained in statecraft, but he was as resolute as "Old Hickory" to treat secession with a firm hand.

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[1] Webster to Blatchford, February 25, 1848 (National Edition, XVI, 507).

Webster, importuned by more than one needy Whig to plead his cause with President Taylor, had enough to do to secure an appointment for his son, Fletcher. The position of United States District Attorney for Massachusetts was Fletcher's ambition; but it was soon learned that Taylor had already promised it to George Lunt, an active Bay State politician; and the President, while willing to do something for Fletcher, insisted on placing Lunt's name before the cabinet. Not even Webster's blunt statement that "Mr. L. was not fitted for the office, by his Professional standing" would deter the Chief Executive from his purpose. Then followed intrigue after intrigue. Webster accumulated affidavits from prominent members of the Boston Bar that Lunt was not qualified for the position, and even urged in confidential letters that Ashmun and Curtis come to Fletcher's aid in Washington. Taylor, however, insisted that he had given his word to certain members of the Philadelphia Convention, and would not yield. Webster, disappointed, confided in Peter Harvey that the unkindest cut of all was the refusal of a Whig administration to grant his request for an office of small pecuniary consideration for his only son.[1]

Finally the President, after several interviews, suggested that the position of United States Marshal was open and might be assigned to Fletcher. Webster then promptly wrote to his son: "Let us secure the Marshalsea. That will be a great office for you. Its duties may be performed, very much by Deputy. You can practice in the State Courts, & so keep your hand in, in the Law."[1] Fletcher was not, however, pleased with this proposal, and further plotting was carried on during the late spring. As we read the correspondence between father and son, we cannot help being struck by the pathos of the situation, and by the absurdity of a political system which could lead a great statesman to resort to such importunity in order to gain a minor government sinecure for an heir who did not inherit his genius.

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[1] Harvey, p. 178.

The outcome was that Fletcher was named as Surveyor of the Port of Boston — a pleasing position with a good salary — and was confirmed by the Senate on March 2, 1850. He remained in office until he was removed by President Lincoln in 1861, to make room for a deserving Republican.

In late April, 1849, Senator and Mrs. Webster made a trip down the James River to Norfolk and Baltimore. Early in May, he was in Marshfield, enjoying the spring fishing, and writing: "I grow stronger every hour. The giants grew strong again by touching the earth; the same effect is produced on me by touching the salt seashore."[2] He had a delightful summer, some of which was devoted to cruising in the beautiful schooner, *Lapwing*, which had been presented to him by some of his Boston admirers.[3] He was at The Elms in August, and in the White Mountains in October. To his family he confided his belief that his career was over. More and more he mused reminiscently over his boyhood days, as old men do. He even perfected plans for a cemetery for himself and his descendants. Like the storm-tossed Ulysses, he could have cried: —

> Death closes all; but something ere the end,
> Some work of noble note, may yet be done,
> Not unbecoming men that strove with Gods.

But he could see no opportunity. He wrote in October: "Harvesting is in progress, the leaves are fading, and the year prepares for its closing scenes." No one could have been less aware than he that Destiny was leading to a national crisis, in which he was to perform one last patriotic service for his country.

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[1] Webster to Fletcher, April 12, 1849 National Edition, XVI, 520). For other letters on the subject, see *Ibid.*, pp. 515–24.

[2] Webster to Fletcher, May 2, 1849 (*Ibid.*, XVIII, 322).

[3] Hall to Webster, August 11, 1849 (*Ibid.*, p. 336).

XXIV

THE FIGHT FOR THE UNION

> So fallen! so lost! the light withdrawn
> Which once he wore!
> The glory from his gray hairs gone
> Forevermore!
>
> — WHITTIER, "Ichabod!"

> I am against agitators, North and South. I am against local ideas, North and South, and against all narrow and local contests. I am an American, and I know no locality in America; that is my country.
>
> — WEBSTER, Speech on June 17, 1850

IN the late winter of 1849–50, the columns of Boston newspapers were filled with the activities of two Websters. One was John W. Webster, Erving Professor of Chemistry at Harvard, — known to his students as "Sky Rocket Jack," — who was being tried before the Supreme Judicial Court for the malignantly brutal murder of Dr. George Parkman, whom he had slain with a mallet, afterwards consuming the body in his laboratory furnace.[1] The other was Senator Daniel Webster, who, on March 7, had delivered in Congress a striking speech called "The Constitution and the Union." Although the homicidal professor, until after his conviction on March 30, received more space in the *Atlas* and the *Courier*, there were some people who thought the Senator the more dangerous criminal. William Lloyd Garrison referred to the speech as "indescribably base and wicked"; Charles Sumner declared that Webster had "placed himself in the dark list of apostates"; and some of his enemies classed him with Benedict Arnold and Aaron Burr.

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[1] This case has been often described — but never more entertainingly than in Edmund Lester Pearson's *Murder at Smutty Nose*. Webster was much interested in the trial. One English newspaper announced, "Mr. Webster, the great American statesman, is to be tried in New York on the 10th of March for the murder of Judge Parker."

No utterance by an American statesman created more excitement at the time of its delivery or has been more fiercely discussed by historians.[1] It was anxiously awaited and widely read. Its critics — among them men of literary gifts like Whittier, Emerson, Theodore Parker, and Lowell — have perpetuated the theory that it was a political blunder and a moral wrong. To-day, after the lapse of more than eighty years, when the passions engendered by the hostility between North and South have somewhat cooled, we are better able to review the situation impartially and estimate what Webster was trying to do and what he accomplished.

What is popularly known as the "Seventh of March Speech" was prepared by Webster to meet a national crisis. Since 1820, when the threatened dissolution of the Union had been averted by the Missouri Compromise, the slavery question had been responsible for many sectional disputes. It was like a fire in the coal of an ocean liner, breaking out at various times in different quarters, always smouldering even when there was no visible smoke, and liable at any moment to burst into a destructive conflagration. The battle over the protective tariff, the controversy regarding Texas, the protracted debate on the Mexican War — all these, and other less conspicuous issues, had introduced the ubiquitous topic of negro servitude. There were extremists on both sides. Calhoun, goaded into desperation by his opponents, had reached the point where he regarded slavery as a blessing, and had won support for his position. Garrison, as narrow as he was intense,[2] believed that it must be exterminated at any cost. It has been well said that there were no shades in his thinking — only black and white, righteousness and sin. There were separatists both north and south of the Potomac. Wendell Phillips, writing in the *Liberator*, said of his party, "We are disunionists";[1] and Calhoun, on more than one occasion, had been ready to set up a Southern confederacy.[2] Between these radical groups were the conservatives and moderates, who abhorred fanaticism and wished to preserve the unity of our country. To them, Daniel Webster belonged.

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[1] "The speech produced a wonderful sensation; none other in our annals had an immediate effect so mighty and striking." (Rhodes, *History of the United States*, I, 149.) The first two chapters of Rhodes's colossal work give an admirable summary of the events leading up to the Compromise of 1850.

[2] Parrington, *The Romantic Revolution in America*, Chap. IV, p. 352 ff.

During his long experience in political affairs, Webster had passed through several crises in sectional antagonism. In 1850, however, the peril of Southern secession seemed to many careful observers to be more imminent than ever before. The immediate occasion for the renewed agitation was the question as to how far slavery should be tolerated in the territory recently acquired from Mexico. When Congress adjourned in March 1849 without organizing California as a territory, the self-reliant pioneers in that district sent delegates to a convention at Monterey, and, in September, framed and ratified a constitution, with a clause prohibiting slavery. No objection was raised, even by men from slave states, to the article forbidding negro servitude. The situation was complicated also by a gathering at Salt Lake City for the purpose of adopting a constitution for the proposed state of Deseret, and by another convention at Santa Fe, which had established the territory of New Mexico, with boundaries overlapping both Deseret and Texas. When the news of these events reached the East, Congress was not in session, but state legislatures passed resolutions, agitators rushed into print, and both abolitionists and slaveholders indulged in some loose and irresponsible talk.

Congress met in December with the certainty that there was trouble ahead. Following a meeting at Jackson, Mississippi, in the preceding October, a convention of the Southern states had been summoned for June 3, 1850, at Nashville; and everybody in Washington knew that the call had been issued as a threat that, unless something was done to placate the South, a separate confederacy might be formed. Under the dome of the Capitol, there was sensitiveness and irritation among both Whigs and Democrats, and members showed themselves "jealous in anger, sudden and quick in quarrel." The contest over the election of a Speaker, prolonged in the House for nearly three weeks, revealed an almost equally balanced party division; a small group of Free Soilers, headed by Joshua R. Giddings, of Ohio, stultified themselves by allowing the election of Howell Cobb, a brilliant and high-minded Georgian slave-holder, over Robert C. Winthrop, a Bostonian of fine family,who had been allied with Webster. President Taylor's message was cautious and conciliatory, expressing the hope that "exciting topics of a sectional character" would not be introduced into Congress. He might as well have tried to arrest a forest fire with the trickle from a garden hose. During the eight months which followed, the discussion of problems arising out of slavery occupied nearly all the working hours of the legislators. Challenges to duels were common; the most violent language was employed on the floor of the House. It seemed as if the Union could not survive.

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[1] *Liberator*, March 22, 1850. Parrington says of Garrison, "He outran southern fire-eaters in advocacy of Nullification and secession."

[2] "The abolitionists declare that disunion will *destroy* slavery; the secessionists contend that it will perpetuate it." (Pendleton, *Stephens*, p. 108.)

Many Northern antislavery men denied that there was any real peril, and even Seward spoke of threats of disunion as "too trivial for serious notice." Rhodes, after weighing the available evidence, reached in 1892 the conclusion that "little danger of an overt act of secession existed while General Taylor was in the presidential chair."[1] But since that date, Professor Herbert D. Foster has accumulated a mass of testimony showing that the Union was in jeopardy, "with the culmination during the three weeks preceding Webster's speech";[2] and Beveridge, in his *Abraham Lincoln*, has proved that the situation was desperate and alarming.[3] The deductions of these unbiased scholars are corroborated by the contemporary observations of such witnesses as General Winfield

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[1] Rhodes, I, 133.

[2] Foster, "Webster's Seventh of March Speech and the Secession Movement, 1850," *American Historical Review*, January 1922, XXVII, No. 2.

[3] Beveridge, *Lincoln*, II, 71–78.

Scott,[1] Horace Mann,[2] Francis Lieber,[3] and Alexander H. Stephens.[4]

Even the more moderate Southern members were using language which a man like Webster could not ignore. The Free Soilers were clamoring for the adoption of the Wilmot Proviso, which would have isolated from the slave-holding interests all the territory acquired by the Mexican War; and conservative sentiment in the South held that its passage would be ample reason for secession. There were also other causes for dispute: the matter of the open slave market in the District of Columbia, under the very shadow of the National Capitol; the disregard by some portions of the North of the Act of 1793 providing for the return of fugitive slaves;[5] and the broad question as to whether a slave-owner had a right, under the Constitution, to take his negroes with him into our territories.

Webster's own attitude towards slavery had been expressed without hesitation or equivocation over a period of thirty years. In 1819, he had styled it "this great evil";[6] and in February 1850 he wrote to Furness, "From my earliest youth, I have regarded slavery as a great moral and political evil."[7] In his Plymouth Oration and in his correspondence, he had denounced the slave trade as an intolerable horror. He had opposed the annexation of Texas mainly because he did not wish to enlarge the areas in which slavery was allowed. He had condemned the Mexican War and resisted the acquisition of territory resulting from our victory. He had approved of the Wilmot Proviso, which would have excluded slavery from any of the lands ceded by Mexico to the United States. He personally would have rejoiced to see slavery eliminated from the North American continent.

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[1] Scott told General Sherman that the country, in 1850, was "on the eve of a terrible civil war." (Sherman, *Memoirs*, I, 82.)

[2] "I really think if we insist upon passing the Wilmot Proviso for the territories that the South, — a part of them, — will rebel; but I would pass it, rebellion or not." (Mann, Letter of February 6, 1850, *Life*, p. 288.)

[3] Lieber was then a professor in the University of South Carolina.

[4] Stephens wrote in January: "It is a great mistake to suppose that the South can stave off this question. We have ultimately to submit or fight." (Pendleton, p. 96.)

[5] The Massachusetts Legislature had passed, in 1843, an act making it penal for her officers and magistrates to carry out the provisions of the Fugitive Slave Law of 1793.

[6] National Edition, XV, 55.

[7] Webster to Furness, February 15, 1850 (*Ibid.*, XVIII, 353).

On the other hand, he had been obliged to admit that the Constitution had taken slavery for granted and that certain provisions had been inserted because of its existence. Believing that the power of Congress over the Territories was unlimited, he acknowledged that it could legally "prohibit the further introduction of slavery into its own Territories."[1] But he asserted, with equal vigor, that the General Government had "no right whatever, to interfere, in any way, with slavery in the States."[2] The only method by which it could be permanently abolished was through "the operation of moral causes." To sum up his views, slavery was an evil which, by an irrevocable contract with the South, had been granted legal sanction in certain states, but which should not be allowed to spread beyond them; and he felt it to be the duty of every man to do all in his power, "by the exercise of moral influences, to ameliorate its condition and to terminate its existence."[3]

The new Congress was remarkable, not only because of the appearance of two new Free Soil Senators, Seward, of New York, and Chase, of Ohio, but also because of the reëntrance into public life of Henry Clay, who, after having been a private citizen since 1842, was now once more in the Senate, intending to be "a calm and quiet looker-on." Although in his seventy-third year, and rather feeble, Clay was still capable, when aroused, of sustained exertion. He was not at first disposed to assume a position of leadership, but the instinct for domination was ineradicable, and he wrote early in 1850 that he had been thinking "of proposing some comprehensive scheme of settling amicably" the whole slavery question. President Taylor, meanwhile, had, under Seward's influence, reached the conclusion that California should be admitted with her "free" constitution, but that action on the other territories should be postponed.

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[1] National Edition, XV, 70.

[2] Speech on the Abolition of Slavery (*Ibid.*, XIII, 595).

[3] National Edition, XIII, 597. The quoted passage is taken from the manuscript of a speech in Webster's handwriting, apparently drafted in 1840. It is possible that it may have been delivered at Barre, Massachusetts, on July 4, 1840.

As Clay studied conditions in Washington, he was aware of a strong feeling among the Northerners that the Wilmot Proviso should be adopted; and he was sure that such a step would alienate the Southern leaders, already scanning events with suspicious eyes. Clay was troubled. He was conscious of the responsibility which rested upon him. Was he not the "Great Pacificator"? Twice before — in 1820 and in 1833 — he had intervened to adjust disputes between North and South. Taylor's Message recommending the admission of California was read in Congress on January 21, 1850; and on that evening Clay plodded through a snowstorm to Webster's house in order to ask his aid for a plan which he had in his mind.

It was a dramatic scene as the two veterans of a generation almost past sat down in Webster's library. Sometimes allies, but more often rivals, they had lived through forty years of our national history, participating in nearly every important controversy. More than once they had seen the Union threatened, and now again they were discussing how it could be saved from disaster. Each knew that he was near the end of his mortal course, but the fire still burned within his soul. Clay, lean and mercurial, with nervous gestures and the play of emotion upon his expressive face, unfolded his proposal; and Webster, grave and inscrutable, with firm mouth and searching eyes, listened to the story. It was a moment when history was being made.

Clay, unquestionably actuated by patriotic motives, sincerely desired to close his career by settling forever all the questions involved in the slavery problem. He had considered the interests of both North and South, and now suggested adjustments which each would presumably be willing to accept. As to California, he could see no alternative to admitting her with her constitution prohibiting slavery. This would, of course, disturb the equilibrium between the sections by giving the North a preponderance in the Senate. As a bargain, therefore, Clay proposed that the Wilmot Proviso should be abandoned, and that New Mexico and Utah should be provided with territorial governments without restriction as to slavery. Texas had, without much justification, laid claim to a considerable portion of New Mexico, and, if her demand were allowed, the disputed section would eventually be made into slave states. Clay now wished to award this land to New Mexico, and, as compensation to Texas, recompense her for that part of her public debt for which, before her annexation, she had pledged her customs revenue. In plain language, Texas was to be paid for abandoning her not altogether tenable claim to lands belonging to a territory in which slavery would probably not be tolerated. The slave trade was to be abolished in the District of Columbia; but this was to be accompanied by a stipulation that slavery itself was not to be forbidden there without the consent of Maryland. Finally — and most important — a more effective Fugitive Slave Law was to be enacted and enforced.

The only record of this important conversation was left as a memorandum made by an unnamed gentleman — probably George Ticknor Curtis — who was present and heard much of what was said.[1] Clay left after about an hour, with Webster's assurance that, while he was not then ready to concur with the plan in all its details, he approved of its aim and scope. After Clay's departure, Webster confessed that he regarded the scheme as one "that ought to be satisfactory to the North, and to the reasonable men of the South," and added that his first impression was "that he could adopt the whole of it." If, on reflection, his opinion continued favorable, he was ready to espouse Clay's measure, "no matter what might befall himself at the North." He was well aware of the protests which would emanate from radical groups in New England.

During the earlier weeks of the session, Webster, although troubled by the renewed agitation of the slavery question, did not feel that the danger of disunion was imminent.[2] Certain influences were operating, however, which made him ill at ease. The conduct of the Massachusetts abolitionists, especially when they talked openly of secession, seemed to him to be that of madmen.[1] He was in touch also with Southerners like Stephens and Toombs, and he knew their aversion to the Wilmot Proviso. As late as February 14, he wrote to Harvey, "I do not partake in any degree in those apprehensions, which you say some of our friends entertain of the dissolution of the Union, or the breaking up of the Government."[2] But his faith was being shaken, and he could not long be under this illusion.

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[1] Curtis, II, 397–98.

[2] Webster to Haven, January 13, 1850 (National Edition, XVI, 530).

Encouraged by Webster's support, Clay, at the end of January, presented his plan in a series of resolutions, and, a week later, made a noble speech in their defense. As he walked up the steps of the Capitol that morning, he said to a friend, "Will you lend me your arm? I feel myself quite weak and exhausted." When it was suggested that he was too ill to appear, he replied, "I consider our country in danger, and if I can be the means in any measure of averting that danger, my health and life is of little consequence."[3] On the floor of the Senate, he looked his age. One eyewitness said, "His head, bald on the top, was fringed with long, iron-gray hair, his cheeks were somewhat sunken, his nose had a pinched look, but his wide mouth was, as in years past, wreathed in genial smiles."[4] He was garbed in his customary black, with a high black satin stock enveloping his long neck, and, above that, a huge white shirt collar, which reached his ears. Although his voice occasionally faltered, he was sustained by his will, and he rose at times to heights of eloquence. With pathetic earnestness, he appealed to the reason and the generosity of both North and South. Resisting the importunities of friends, he spoke for portions of two days; and, at the close, he denied the right of any state to secede, declaring that the dissolution of the Union would be the prelude to a bloody war.

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[1] The Massachusetts Antislavery Society, on January 23, passed resolutions beginning as follows: "Resolved, that we seek a dissolution of this Union, first as a measure of individual duty to cease from sustaining a great evil . . . and that we proclaim it as our unalterable purpose and determination to live and labor for the dissolution of the present Union."

[2] Webster to Harvey, February 14, 1850 (National Edition, XVI, 533).

[3] Schurz, II, 334.

[4] Poore, I, 363.

A few of the Southern leaders at once let it be known that the Compromise was not agreeable to them. Jefferson Davis, President Taylor's son-in-law, declared himself content with nothing less than the extension of the Missouri Compromise line to the Pacific Ocean. On March 4, Calhoun, so near to death that he already seemed a disembodied spirit, but still inflexible and unbowed, sat in the Senate Chamber while his carefully prepared speech was read by Senator Mason. Wrapped in flannels and obviously very weak, he listened to his own last words on slavery. In language which bit like acid, he asserted that the North, through one aggressive measure after another, had destroyed the equilibrium between the free and the slave states. The admission of California would be the final demonstration that the South could not expect justice. "The South," he said, "will be forced to choose between abolition and secession." Calhoun was irreconcilable. In the face of death, he was ready to resist the North, by arms if necessary, and he had no faith in the efficacy of compromise.

Meanwhile what was Daniel Webster thinking? In an autobiographical fragment, he said: "I do not recollect that I took much part in the Debates of the Senate, in Decr., Jany. & February. I was a good deal occupied in the Supreme Court."[1] A list prepared by him shows twelve important cases argued during that term, but none between February 8 and April 3. After his interview with Clay on January 21, he discussed the situation with several men, trying to get different points of view. Shortly after the middle of February, certain events operated to alarm him regarding the security of the Union. On February 18, Southern Congressmen, led by Alexander H. Stephens, were able, by filibustering, to block every attempt to admit California without considering the question of slavery in Utah and New Mexico. Northern newspapers, including the New York *Tribune*, the Boston

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[1] National Edition, XIII, 561.

Advertiser, and the Springfield *Republican*, manifested perturbation. Hone wrote on February 18, "The dissolution of the Union, which until now it was treason to think of, much more to utter, is the subject of the daily harangues of the factionists in both Houses of Congress." On February 23, after a stormy talk with Stephens and Toombs, President Taylor was convinced that they were bent on secession; and on the same day, according to press reports, Webster also discussed the matter with the Southern leaders. This determined Webster to speak on the subject, and he wrote to Fletcher: —

> I am nearly broken down with labor and anxiety. I know not how to meet the present emergency, or with what weapons to beat down the Northern and the Southern follies, now raging in equal extreme. If you can possibly leave home, I want you to be here, a day or two before I speak. As soon as I can guess the time, I will telegraph you. I have poor spirits, and little courage. *Non sum, talis eram.*[1]

On the last day of February, Edward Everett wrote that "the radicals of the South have made up their minds to separate, the catastrophe seems to be inevitable."[2] On the following morning, Webster confessed to Charles H. Warren, of Boston, that he was preparing to participate in the debate. "I mean to make an honest, truth-telling speech," he said, "and a Union speech; but I have no hope of acquitting myself with more than merely tolerable ability. But we shall soon know, and I neither despond nor enjoy a premature exultation at success."[3]

Although Boston editors were informed that Webster was soon to make an important speech, nothing apparently leaked out regarding the policy which he was to espouse.[4] The

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[1] Webster to Fletcher, February 24, 1850 (National Edition, XVI, 534). The best discussion of Webster's rather sudden change in attitude, resulting in his decision to speak, is to be found in Professor Foster's *Webster's Seventh of March Speech and the Secession Movement, 1850*, which has been published in a small pamphlet as one of the Dartmouth College Reprints, Series L, Number 5.

[2] Winthrop MSS.

[3] Webster to Warren, March 1, 1850 (National Edition, XVI, 534–35).

[4] The *Courier* announced on Monday, March 4, that Webster was to speak on Wednesday. On the same day, the *Advertiser's* Washington correspondent said that

Courier, which did not then favor Clay's plan, said editorially: —

> Mr. Webster, we have the best reason for believing, will not rise in the Senate with a "compromise" scheme in his hand, with the items to be given and taken on all sides, digested into articles marked and numbered. . . . His speech will be emphatically a Union speech.

Joshua R. Giddings, who was in 1850 a member of the House of Representatives, was responsible for a story, accepted by Lodge but by no other of Webster's biographers, that Webster "gave antislavery members of Congress to understand that he would sustain their doctrines";[1] and Poore, quoting Thaddeus Stevens and Giddings, declared that Webster had prepared a speech, the manuscript of which they had read, "which was a powerful exposition and vindication of Northern sentiment upon the compromise measures, especially the fugitive-slave bill."[2] Giddings's statement, made for the first time sixteen years after the event, has no other authority than its author, who, according to Robert C. Winthrop, "was not a person to be relied upon for accuracy, where his prejudices were concerned."[3] Rhodes concluded that "Giddings's statement that Webster had made promises to anti-slavery men" was probably a mistake.[4] This is a charitable verdict on a charge for which there is absolutely no foundation in any of the Webster papers. Writing to Winthrop in 1852, Webster declared that, before February 21, 1850, in the only long conversation which he had ever had with Taylor on any matter of importance, he had explicitly declared himself to the President substantially as follows: "I am not in accord with your

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Webster "would take a large view of the state of things and advocate a straightforward course of legislation essentially such as the President has recommended."

[1] Giddings, *History of the Rebellion*, p. 323. Lodge says, "There can be no doubt that in the winter of 1850 Mr. Webster talked with Mr. Giddings, and led him, and the other Free Soil leaders, to believe that he was meditating a strong antislavery speech." Julian, in his *Life of Joshua R. Giddings*, makes no reference to this incident.

[2] Poore, I, 365.

[3] For the complete text of Winthrop's letter to George P. Fisher, written on February 25, 1884, see Fisher's article, "Webster and Calhoun in the Compromise Debate of 1850," in *Scribner's Magazine*, May 1905.

[4] Rhodes, I, 149.

views; I am for one general and final adjustment of all the questions involved; and I believe that the admission of California, without a settlement of the other issues, is likely to lead to civil war."[1] Hone prophesied, on March 5, that Webster would probably "concede more to the South than the fiery politicians (Whigs even) of the North may think expedient."

On the evening of March 6, Webster talked over his proposed speech with Fletcher Webster, Edward Curtis, and Peter Harvey, who had come from Boston for the occasion.[2] His notes, in his own handwriting, were extensive, and fill eleven printed pages of his *Works*. Winthrop, calling on him after dinner, found him "too much engrossed with his preparations to hold any extended converse." Early on the following morning, while he was sitting in his library with Harvey, Webster was interrupted by the Sergeant-at-Arms, who excitedly notified him that not only the Senate Chamber but also the corridors leading to it were "crowded by an eager multitude." Webster, turning to Harvey, referred rather sadly to the fact that this would be one of his last appearances in Congress, and then gave instructions to have two good seats reserved for Harvey and Mrs. Webster.[3]

Webster, troubled by insomnia, tired, and far from well, had nevertheless made up his mind to risk himself "on a proposition for a general pacification." A year later he wrote, "I was not unaware, on the morning of the 7th of March last year, that I was entering upon a duty which . . . might bring into peril that favor which had been long shown me by that political party whose general principles I had for a long time steadily maintained."[4] Theodore Parker is responsible for the story that he said on that morning to one of his colleagues, "I have my doubts that the speech I am going to make will ruin me." But, although much disturbed in his heart, Webster had resolved not to allow his personal ambitions to interfere with his "profound sense of public duty." His physical strength was not what it had been, but he was buoyed up by the consciousness that he was about to speak once more for the Union which he loved.

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[1] Webster to Winthrop, April 8, 1852 (National Edition, XVI, 651).

[2] Webster to Haven, September 12, 1852 (*Ibid.*, XVIII, 386–88).

[3] Harvey, pp. 219–20. Peter Harvey (1810–77), who aspired to be Webster's Boswell, was a Boston business man, treasurer of the Rutland Railroad and president of the Killby Bank, who acted as Webster's political and financial adviser. His *Reminiscences of Daniel Webster* (1877) is of great value in throwing light on Webster's personality. His collection of Websteriana was given to the New Hampshire Historical Society in 1876.

[4] Webster to Richards and others, March 21, 1851 (National Edition, XVIII, 425).

His audience was an inspiration. Two hours before the Senate was to convene, the Chamber — the same room in which he had delivered his Reply to Hayne — was filled with privileged persons. Ladies occupied all the seats except those assigned to Senators, and found resting places on piles of public documents or even on the steps leading to the Vice President's rostrum. Many foreign ministers and attachés had conspicuous positions. The lobbies were packed with members of the Lower House, who stood throughout the proceedings.[1] Webster himself had seat 29, in the second row from the back, the third from the centre aisle. As he looked around him, he could see Henry Clay, thin and worn, waiting eagerly for his great rival's supporting words. Not far away was "Old Bullion" Benton, with his huge hooked nose and pompous manner, also nearing the end of his long Congressional career. Among the sixty members of the Senate were Webster's sturdy colleague from Massachusetts, John Davis; Lewis Cass, of Michigan, defeated for the Presidency but still untamed; Jefferson Davis, on whom the mantle of Calhoun was soon to fall; Stephen A. Douglas, the burly and belligerent "Little Giant" from Illinois, who was to be a storm centre for a decade; William H. Seward and Salmon P. Chase, both Free Soilers, destined to sit together in Lincoln's cabinet; two future presidential candidates, John P. Hale, of New Hampshire, and John Bell, of Tennessee; and one future Vice President, Hannibal Hamlin, of Maine. Among the Representatives who had come to listen were Alexander H. Stephens, Robert Toombs, Andrew Johnson, Joshua R. Giddings,

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[1] Lyman, *Memorials*, I, 155. *National Intelligencer*, Saturday, March 9, 1850.

Robert C. Winthrop, and Thaddeus Stevens — men of all shades of opinion. Fletcher and Mrs. Webster, Edward Curtis, Peter Harvey, Charles W. March, John Young, I. F. Thayer, and Sir Henry Bulwer were among the guests.

When, promptly at noon, the special order of the day was announced, Vice President Fillmore, rapping sharply with his ivory gavel, stated that the floor according to etiquette belonged to Senator Isaac P. Walker, of Wisconsin, who had been speaking on Wednesday at the hour of adjournment. That gentleman, however, rose and, with graceful courtesy, said: —

> Mr. President, this vast audience has not come together to hear me, and there is but one man, in my opinion, who can assemble such an audience. They expect to hear him, and I feel it to be my duty, therefore, as it is my pleasure, to give the floor to the Senator from Massachusetts.

Webster had expected to begin about two o'clock and to occupy portions of two days, as he had done in his Reply to Hayne. When he was unexpectedly accorded the floor, he was not disconcerted, but rose and stood for a moment in silence, while "a thrill, as if from a noiseless electric shock, passed through the assemblage." He wore the customary blue dress coat, with the shiny brass buttons, and his massive head emerged like that of a Titan from the white stock in which his neck was swathed. His face seemed even sterner than usual, and Fredrika Bremer said that his eyes seemed "catacombs of ancient wisdom." Nothing in his bearing indicated the delicacy and embarrassment of his position. Confident and calm, he passed his hand across his brow with his habitual gesture, bowed to the Vice President, thanked those who had yielded their rights to him, and then began, in words which became classic as soon as they were uttered, "I wish to speak to-day, not as a Massachusetts man, nor as a Northern man, but as an American."

As he proceeded, Webster somewhat condensed the address which he had originally prepared, but he spoke for three hours and eleven minutes with only a few references to his notes.

Twice, either because of failing eyesight or a desire to conserve his strength, he asked his colleague, Senator Albert C. Greene, of Rhode Island, to read quotations from his speeches at Niblo's Garden in 1837 and at the Whig Convention in Springfield in 1847. General Lyman, who sat directly in front of him, said that Webster did not change the form of a single phrase or sentence and that the speech flowed on "as the Mississippi rolls from its fountains."[1] On the other hand, G. W. Julian, who was also present, remembered that Webster "spoke with unusual deliberation, but with pauses having no relation whatever to the sense," and added that "his speaking seemed painfully laborious."[2] Lyman noticed that his enunciation was very distinct, and that his tones were "generally raised just loud enough to be heard clearly in all parts of the chamber." Only occasionally did he show deep feeling; but, when he referred to the idea of peaceful secession, "his eyes appeared like two balls of fire, and his gesticulation indicated the strength of his patriotic impulses." It was then that he stood very erect, gazing as if in defiance at Calhoun, while "not even the falling of a pin broke the silence between his sentences."

Calhoun, almost on his deathbed, was not in the chamber when Webster began. In a few minutes, however, Harvey saw "a tall gaunt figure, wrapped in a long black coat, with deep, cavernous black eyes and a thick mass of snow-white hair brushed back from the large brow and falling to the shoulders," enter, with slow and dragging steps, from the lobby behind the Vice President's desk. The apparition, unobserved by Webster, sank into a chair, hardly able to stir. When the orator mentioned "the distinguished and venerable Senator from South Carolina, who, I deeply regret, is prevented by serious illness from being in his seat to-day," Calhoun feebly tried to straighten up and indicate his presence, but failed to attract Webster's attention. Somewhat later, when a similar reference was made, Calhoun gathered himself for a supreme effort and, in hollow tones, gasped, "The Senator from South Carolina is in his seat." Astonished by this ghostly voice, Webster turned, saw his ancient enemy, and bowed deeply in acknowledgment. Towards the close, when Webster quoted Calhoun's correspondence as Secretary of State, the latter asked for permission to interrupt, and stammered a few words in his own justification. It was the last occasion when these two chieftains, so often before pitted against one another in the past, met in open debate. Before the end of the month, Calhoun was dead, and the ranks of the Great Triumvirate were broken.[1] Clay and Webster were to be pallbearers at his funeral.

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[1] Lyman, II, 157.

[2] Julian, *Political Recollections*, p. 86. Julian's value as a witness is considerably lessened by his fanciful theory that the large drops of perspiration on Webster's forehead and face were to be explained by "a greatly troubled conscience over his final act of apostasy from his early New England faith."

The speech was taken down stenographically by Hiram Corson, later Professor of English at Cornell University, and in its printed form covers forty-one pages in the National Edition. In structure and clarity, it is a masterpiece. In style, except towards the close, it is not rhetorical, nor is it weighted with imagery; but its very restraint, on a subject so controversial, makes it the more convincing. Every sentence was carefully considered and issued from his lips only after he had measured all its implications and consequences. Well aware of the importance which would be attached to his remarks, he did not wish to be misconstrued.

There was nothing ambiguous or evasive in Webster's argument. After an introductory appeal for an impartial hearing, he summarized the facts regarding California, sketching recent events in the far West and showing that the existing debate had been precipitated by the desire of California to enter the Union as a free state. He then digressed to review the place held by slavery in Greek and Roman civilization, and dwelt upon the wide differences of opinion upon the morality of slavery which had developed between North and South in the United States. Here Webster, in the interests of justice,

[1] This dramatic incident was described by several observers, the most accurate of whom was Peter Harvey, from whose account most of the details given here are taken. See Harvey, pp. 220–22.

paid his respects to "absolutists," who think "that what is right may be distinguished from what is wrong with the precision of an algebraic equation." He was preaching the doctrine of toleration, of charity towards those who differ from us.

But, regardless of our feeling towards slavery, it did exist, said Webster, and it must be dealt with as a fact. Although, at the time when the Constitution was adopted, negro servitude was regarded by both North and South as "an evil, a blight, a scourge, and a curse," it was, nevertheless, recognized, and certain articles in the Constitution were framed with slavery in mind. Because it was expected that human bondage would not continue after the importation of negroes had ceased, provision was made that the slave trade might be abolished after twenty years. By the Ordinance of 1787, furthermore, slavery was to be kept out of "the whole territory over which the Congress of the United States had jurisdiction"; and this ordinance was signed "with the entire and unanimous concurrence of the whole South."

Soon, however, a change took place in the attitude of both sections towards slavery. Because of the rapid expansion of cotton plantations, the economic interests of the South became involved with its extension; and, at the same time, certain humanitarians in the North grew more bitter in their condemnation of it. Gradually new areas were added, — Louisiana in 1803, Florida in 1819, and Texas in 1845, — all tending to the increase of slave territory. During most of the period since the adoption of the Constitution, the South had been in the saddle and had had its will.

The joint resolution through which Congress had opened the way to the admission of Texas had provided that states not exceeding four in number could be formed out of that area, "with or without slavery, as the people of each State asking admission may desire." This resolution — which Webster himself had not favored — he regarded as a binding contract, to which our government was "solemnly pledged"; and he took a grim delight in showing that it could not have been passed except for Northern votes.

With regard to California and New Mexico, Webster now said that their physical geography made slavery impossible within their borders. This being the case, he was ready to abandon the doctrine of the Wilmot Proviso so far as it included those sections. To pass such a measure could do no good, and would be an unnecessary indignity to the Southern states. In view of Webster's former eagerness to claim the Wilmot Proviso as his own thunder, this willingness to drop it was sure to subject him to criticism, which he attempted to forestall by his common-sense argument, "I would not take pains uselessly to reaffirm an ordinance of nature, nor to reënact the will of God."

Webster now recapitulated the grievances of the two sections. The South justly complained that the North had not fulfilled its constitutional duties concerning the return of fugitive slaves; that Northern legislative bodies had passed irritating resolutions urging Congress to abolish slavery; and that abolition societies had inflamed the South without producing anything "good or valuable." Of these injuries, only one could be redressed by the Federal Government — the question of fugitive slaves. The North, on the other hand, objected to the upholding of slavery in the South as an institution "to be cherished, preserved, and extended"; to the tactless contrast by Southerners of the negro slaves on their plantations with Northern free laborers, to the advantage of the former; and to the unjustifiable imprisonment in Southern ports of free blacks employed on Northern vessels. In so far as these evils had their foundation in "matters of law," Webster felt that they should be remedied at once; but the real cure he rightly believed to lie in the cultivation of "a better feeling and more fraternal sentiments between the South and the North."

Webster heard threats of separation "with distress and anguish." Turning to Calhoun, with deep emotion on his face, he cried, "Peaceable secession is an utter impossibility." In one rhetorical question after another, he brought out the practical problems which would arise with the break-up of the

Union. And then, referring to the much-heralded Southern Convention, soon to meet at Nashville, he pointed out the absurdity of plotting against the Union "over the bones of Andrew Jackson."

Very briefly, Webster declared himself in favor of the proposal to pay Texas a fair equivalent in money for ceding to the United States the lands adjacent to New Mexico which the Texans had always claimed. He also stated that, although he had no scheme for eliminating slavery, he would support a project for transporting the free colored people of the South "to any colony or any place in the world," the expense to be defrayed by the funds derived from the sale of those public lands transferred to the United States by Virginia.

Webster had now reached the close of his "great argument." His own opinions, he said, "were not likely to be suddenly changed." With sincere patriotism, he appealed to his countrymen, "instead of speaking of the possibilities or utility of secession," to come out into the light of day and enjoy "the fresh air of Liberty and Union," and "the harmony and peace of all those who are destined to live under it." He ended very simply: —

> Large before, the country has now, by recent events, become vastly larger. This republic now extends, with a vast breadth, across the whole continent. The two seas of the great world wash the one and the other shore. We realize, on a mighty scale, the beautiful description of the ornamental border of the buckler of Achilles, —
>
> Now, the broad shield complete, the artist crowned
> With his last hand, and poured the ocean round;
> In living silver seemed the waves to roll,
> And beat the buckler's verge, and bound the whole.

As Webster finished, there was a spontaneous outburst of applause. Friends rushed up to grasp his hand and say hasty words of congratulation. He had finished what he felt to be the most important effort of his life,[1] and his words were to echo and reëcho for many months to come.

The Seventh of March Speech, except for one or two passages provoked by irritation with the abolitionists,[1] was temperate in tone and moderate in language. It was not delivered in anger, but in a mood of cool reason. Unquestionably Webster had modified his views on the Wilmot Proviso and on the Fugitive Slave Law; but he had done so to meet a new emergency. It is always difficult to analyze human motives. The mind is very complex, and men are actuated by inextricably entangled desires and fears. But there is no ground for doubting Webster's assertion, "My object has been, & is, to preserve the Institutions of our Fathers."[2] Lincoln explained the situation clearly when he said of the Compromise of 1850, "The Union . . . was thought to be in danger, and devotion to the Union rightfully inclined men to yield . . . where nothing else could have so inclined them."[3]

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[1] Webster to Everett, September 27, 1851 (National Edition, XVIII, 473)

As a practical statesman, Webster was bound to consider consequences. Antipathetic though he was to slavery, he could not deny that it was strongly entrenched and zealously defended in the South. If he joined the radical abolitionists and with them seceded from the Union, would that eliminate negro servitude as an institution? The answer was obvious. On the other hand, what would happen if the North refused to make any concession to the South? Undoubtedly a considerable number of states below the Potomac would withdraw from their allegiance to the Union and would form a separate confederacy, of which slavery would be the keystone. In either case, the only possibility of abolishing slavery on the North American continent was through a cruel war, for Webster was well aware that the South would not submit except to superior force. As we have seen, Webster was a philosophical pacifist. The question, as it presented itself to him, was simply, "Am I justified in taking a position which will lead inevitably to a prolonged and bloody internecine conflict?" The only answer which a man of his principles could make was that every means of conciliation should first be tried. The kind of common sense which Webster displayed may not be romantic, but it saves countless lives and it is the noblest form of statescraft.

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[1] Webster seldom took the trouble to discriminate between Garrison and Sumner — the first a disunionist and the second a constitutional antislavery man.

[2] Webster to Prescott, November 7, 1850 (National Edition, XVI, 575).

[3] Lincoln, *Works*, II, 202–3.

It is the fashion nowadays to criticize the Constitution freely, as the work of fallible minds. But to Webster the Constitution was a sacred contract, for which both North and South had made sacrifices, and which should be scrupulously adhered to by both parties. Since his Reply to Hayne, he had been idolized as the Defender of the Constitution, and around him and his principles had been built the tradition of an indissoluble Union. If he had not risen to protect it, he would have been untrue to that conception of himself which he had created through innumerable speeches. In the position which he occupied before the people, it was his duty to place the Union first. With such a record, he could hardly have done otherwise.

Lodge asserted that Webster, on March 7, 1850, "broke away from his past, from his own principles and from the principles of New England, and closed his splendid career with a terrible mistake." This accusation is prejudiced, based on a misconception of Webster's temperament and political philosophy. Radicalism, extremism, absolutism — these had always been his aversion. He could not understand how any man could say, "No matter what it costs or how much bloodshed it involves, slavery must be destroyed." Believing in what he called "the slow progress of moral causes," he regarded abolitionists as too impatient and hasty. It was natural for him always to balance good and evil, and to choose the greater good. Experience had shown him that, in any prolonged controversy between peoples of the same race and intelligence, neither is likely to be wholly right or wholly wrong.

Eleven years later, in his First Inaugural, Lincoln took almost precisely the position assumed by Webster in 1850. Lincoln admitted that each state had a right "to order and control its own domestic institutions according to its own judgment exclusively," and declared that the Constitution required "the reclaiming of what we call fugitive slaves." Webster and

Lincoln were not sectionalists or provincials, but Americans. Garrison and Whittier and John P. Hale were Northerners; Jefferson Davis and R. Barnwell Rhett and Stephens were Southerners. But Henry Clay and Daniel Webster, perhaps because of their long experience at Washington, perhaps even more because of some qualities innate in their characters, were nationalists. At the close of their long careers, they could, as patriots, see the faults and selfishnesses of both Massachusetts and South Carolina. The Compromise of 1850 was a sincere and honest effort on their part to reconcile sectional quarrels in the interests of the country as a whole, from Maine to Florida, from the Atlantic to the Pacific.

XXV

THE GREAT COMPROMISE

Northern abolitionists, & free soilers, & Southern disunionists, are the most reckless men, I think, I ever met with in public life.

— WEBSTER TO HAVEN, September 5, 1850

I look upon the Compromise Measures as a proper, fair, and final adjustment of the questions to which they relate.

— WEBSTER TO TAVENNER, April 10, 1852

Even the opposers of the compromise must, in after-life, have admitted to themselves that it was exceedingly fortunate that Clay's scheme was adopted.

— RHODES, *History of the United States*

BY an unintentionally ironic juxtaposition, the two most conspicuous statues in front of the State House in Boston are those of Horace Mann and Daniel Webster, each of whom during his lifetime would probably have resented the proximity of the other. It was Mann who succeeded John Quincy Adams as Congressman from the Plymouth district and who declared audaciously that the passage of the Wilmot Proviso was an excellent opportunity "to see whether the Union is a rope of sand or a band of steel."[1] It was he who, in two open letters, assailed Webster with abuse, describing him as "Lucifer descending from heaven!"[2] And it was the influence of

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[1] Horace Mann (1796–1859), a farmer's son, worked his way through school and Brown University, and was admitted to the Bar in 1823. He served several terms in both branches of the General Court, assisting in the revision of the Massachusetts statutes. As Chairman of the Massachusetts Board of Education (1837–48), he introduced many reforms, and, during his term of office, devoted himself primarily to the improvement of courses of study and of teaching methods.

[2] Mann's letters, dated May 3 and June 6, 1850, opened up a vigorous newspaper controversy, especially after Webster, in his Letter to Citizens on the Kennebec River, dated June 17, 1850 (National Edition, XII, 240 ff.), compared Mann to the *captatores verborum*, "a set of small but rapacious critics in classical times." Professor Felton, of Harvard, defended Webster's use of the phrase, and Professor Beck took up the cudgels for Mann.

Webster's friends which, in October 1850, kept Mann, by a single vote, from receiving a renomination for Congress from the Whigs.[1] There the two bronze figures stand to-day, in their own proper dignity, gazing out over the Common, like Browning's "The Statue and the Bust" — enemies, each condemned from season to season to endure the presence of his foe.[2]

The condemnation of Mann was typical of the attitude taken by the abolitionists towards Webster as soon as they read his speech. Even the courteous Longfellow asked in his journal for March 9, "What has there been in Webster's life to lead us to think that he would take any high moral stand on the slavery question?" Few of his critics, however, contented themselves with mere questions. "Webster's absence of moral faculty," wrote Emerson, "is degrading to the country." Again and again, he was branded as a "traitor" and "renegade," and compared with Judas Iscariot. In their rage, his opponents exhausted the vocabulary of vituperation; and, if sheer noise is to be reckoned as argument, they had the best of the fray.

The Seventh of March Speech appeared in a summarized telegraphic version in the Boston newspapers on the morning after its delivery, and was printed complete in the *National Intelligencer* on March 9. Webster himself carefully revised the proof sheets for Redding and Company,[3] who issued it within a few days as a pamphlet. In this form, it was dedicated "to the People of Massachusetts," and prefaced by a Latin passage, reading in translation as follows: "I am aware that there are more pleasing remarks than these; but necessity forces me, even if my commonsense were not now thus advising me, to tell you that which is true instead of that which gives pleasure. I should indeed like to give you pleasure; yet far more, — no matter with what feeling you hereafter regard me, — do I desire your safety."[1] Webster insisted that the words VERA PRO GRATIS be printed in capitals — a fact which proves that he was conscious of the storm which he was about to raise.

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[1] Pierce, III, 213. Mann ran, however, on an independent ticket and was elected.

[2] A similar arrangement of statues is that in the park in front of the New Hampshire State House, in Concord, where Webster and John P. Hale, the Free Soiler, stand only a little distance apart.

[3] On March 8, Webster spent an hour with Robert C. Winthrop and told him that he had been at work on correction, and had inserted one or two passages which he had omitted "in the hurry of delivery." (Winthrop MSS., quoted in *Scribner's Magazine*, May 1905.) One of the paragraphs which he added was that explaining the grievance felt by the North at the seizure in Southern ports of free colored men employed on Northern vessels.

"The clamor for Speeches, So. & West, is incredible," wrote Webster to Fletcher two weeks later. "Two hundred thousand will not supply the demand."[2] His friends subscribed to a fund to pay for an even cheaper edition, which could be circulated free. He announced on March 31 that more than 120,000 had been distributed, and that he was mailing a handsome copy to each member of the Massachusetts General Court and "pretty generally to the clergy of Massachusetts."[3] Most of these were sent out under Webster's frank, with an excellent imitation of his signature upon them, written by some of his allies. Two weeks later, he wrote Harvey, "From the South, the West, and some parts of the middle states, addresses, letters, and calls for speeches, continue to come in without number."[4] Ticknor, referring to the speech, said, "The number of letters he receives about it is prodigious; and the flood still comes in, as if none had flowed before."[5] Even as late as September 15, Webster wrote: "Since the seventh of March, letters from every quarter of the Union, respecting my speeches, public letters, etc., have come in, in such numbers that they fill up my desk like that of a merchant. Of all these,

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[1] The full text of the Latin passage — which was taken from a speech by the Roman Consul Titus Quinctius Capitolinus, in the third Book of Livy, Cap. 68 — read: "His ego gratiora dictu alia esse scio; sed me VERA PRO GRATIS loqui, etsi meum ingenium non moneret, necessitas cogit. Vellem, equidem, vobis placere; sed multo malo vos salvos esse, qualicumque erga me animo futuri estis." The Consul was rebuking his countrymen for their dissensions while the Alqui and the Volsci were at the gates of Rome.

[2] Webster to Fletcher, March 21, 1850 (National Edition, XVI, 535).

[3] Webster to Fletcher, March 31, 1850 (*Ibid.*, XVIII, 364).

[4] Webster to Harvey, April 15, 1850 (*Ibid.*, p. 366).

[5] Ticknor, *Life, Letters, and Journals*, II, 264.

I am obliged to take respectful notice, and the work is no light one."[1]

The criticisms which Webster had expected increased in force and number. The Boston *Atlas*, a leading Whig journal which had been his strong supporter, said, on March 11: "His sentiments are not our sentiments. They are not, we venture to say, the sentiments of the Whigs of New England." In general, the *Atlas* favored President Taylor's plan of admitting California at once and leaving the other territories until later. Webster, much disturbed at the position taken by the *Atlas*, wrote frequently from Washington to Ticknor, suggesting replies to be made by the Boston *Courier*, which, after some early rather lukewarm comment, had eventually given the speech its approval, saying, on March 13, that "as a constitutional argument to be applied to the settlement of the existing dispute between North and South, it is impregnable, unassailable, irrefutable."[2] The *Daily Advertiser* refrained from taking sides until March 11, when it came out in favor of the Compromise.[3]

The Massachusetts General Court, always fertile in resolutions of instruction to its Congressional delegation, immediately brought up the Seventh of March Speech for discussion. In the Senate, a motion was introduced to the effect that "the Hon. Daniel Webster, in his recent speech in the Senate of the United States, has not faithfully represented the sentiments of the people of Massachusetts"; but it was rejected, 19 to 10. Henry Wilson sponsored resolutions directing Webster to support the Wilmot Proviso and to oppose Mason's Fugitive Slave Bill, but they could not be carried. One member, in the course of the debate, declared that Webster was "a recreant son of Massachusetts who misrepresented her in the Senate." Not one of Webster's Massachusetts colleagues in Congress agreed with his views.[1] There was a Free Soil gathering in Faneuil Hall, on March 25,[2] at which the Reverend Theodore Parker[3] said, "The only reasonable way in which we can estimate this speech is as a bid for the presidency," and thus first made an accusation which has been frequently reiterated by partisan historians. Edward Curtis wrote Harvey, "So far as I can learn the most vindictive of all opponents are in Mass."[4]

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[1] National Edition, XVI, 567. In this letter, written to a gentleman unnamed Webster said, "Twenty letters a day are hardly more, than I am called up to write, beside my official correspondence."

[2] The *Courier's* Washington correspondent wrote of the speech, on March 11: "To say that it fully comes up to the tone of the Northern members of Congress, or that it meets their expectations, would be to state that which is not a fact." The *Courier* itself said, on March 25: "Mr. Webster could not fail to disappoint many. In the midst of violence, he counsels moderation. In the midst of party spirit, he assumes a national spirit."

[3] On March 12, the *Advertiser* said: "So far as we can tell, the Boston public *fully* support Mr. Webster, — not with an enthusiastic rush of blind admiration, but with a calm belief that he has placed a vexed question in a position in which it can and must be fairly settled."

The abolitionists of the Garrison type were, of course, violently scurrilous. But public sentiment among more conservative people, while at first hesitating, soon swung in his direction. Letters of praise began to arrive. Notes of encouragement reached him from Samuel Lawrence and Samuel A. Eliot.[5] Samuel T. Armstrong, once Mayor of Boston and Lieutenant-Governor, wrote, "I think, upon sober second thought, our people will generally coincide with your views."[6] It was cheering for Webster to hear that he had made "a bold, independent, and dignified" speech, bearing the impress of one "lifted up above the mists of passion, prejudice, and faction." Influential men and women from all over the country sent him their congratulations.[7]

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[1] Webster wrote to Asahel Huntington, December 21, 1850, "I can not well describe to you, My Dear Sir, what my feelings were for five months, during which no one of my colleagues manifested the slightest concurrence in my sentiments." (National Edition, XVI, 582.) He wrote Ticknor, June 13, "Nobody from New England, so far, has given me the succor of his vote."

[2] The other speakers, besides Parker, were Wendell Phillips and "a colored gentleman from New York City."

[3] Theodore Parker (1810–60), a well-meaning but bitter-tongued Unitarian clergyman and reformer, after some experience as teacher and preacher, had eventually undertaken an iconoclastic ministry at the Boston Melodeon, in 1845, where he espoused the cause of antislavery. An indefatigable speaker and writer, he was, after March 7, 1850, one of Webster's irreconcilable foes.

[4] Van Tyne, p. 407.

[5] Webster to Lawrence, August 10, 1850 (National Edition, XVI, 559).

[6] Armstrong to Webster, March 12, 1850 (*Ibid.*, XVIII, 357).

[7] Foster, *Webster's Seventh of March Speech*, pp. 29–31.

He was pleased also to receive addresses of commendation from the citizens of Newburyport and of Medford, and even from a group who signed themselves his "neighbors," in Salisbury. William W. Corcoran, the Washington banker, was so much impressed by the Seventh of March Speech that he went to his office safe, and, taking out two of Webster's notes, amounting to more than $5000, canceled them and sent them to the statesman, together with a letter of congratulation and his check for $1000.[1] From a number of "sons of New England" who had become merchants in New York, he was presented with a watch and chain made of California gold, accompanied by a letter lauding him for maintaining "so strikingly the necessity of fraternal feeling between the different sections of our common country."[2] We find him responding to "six or eight hundred gentlemen of New York City," thanking them for their approval of his course.[3]

Most grateful of all, perhaps, was an address to him, signed by nearly a thousand of the leading citizens of Boston,[4] approving his conduct; and he answered it in a letter declaring earnestly that there was no longer any reason for differences between North and South.

The long array of signatures published in the Boston *Courier* was headed by Thomas H. Perkins, Charles C. Parsons, Thomas B. Wales, and Caleb Loring, and included the names of Rufus Choate, George Ticknor, Benjamin R. Curtis, William H. Prescott, Jared Sparks, and Professors Moses Stuart and Leonard Woods, of Andover Theological Seminary. Of Webster's intimate friends, only Edward

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[1] Moore, *Washington Past and Present*, pp. 209–10. The story seems well authenticated, and Webster's letter of gratitude, dated March 9, 1850, is reprinted by Moore.

[2] National Edition, XVIII, 361. The chain and watch are now exhibited in the collections of the New England Historical Society. Edward Curtis described the chain to Harvey as "about as big as your leg, above the knee." (Van Tyne, p. 408.)

[3] National Edition, XVI, 550.

[4] The list was being added to for several weeks, and the total number of signatures came to almost a thousand. The copy of the *Courier*, in the files of the Boston Athenæum, has written in an unknown hand in the margin opposite the names, "Satan's kingdom is strong but not respectable." Emerson noted among them the names "of aged and infirm people, who have outlived everything but their nightcap and their tea and toast." The address itself is dated March 25, 1850. (Van Tyne, p. 406.)

Everett and Caleb Cushing were not included.[1] Most of the Boston literary circle — Longfellow, Lowell, Whittier, and Emerson — were on the opposite side; but at Harvard the majority of the faculty were with Webster, and he had the support of a considerable proportion of the clergy.[2] During the controversy, Webster kept reasonably cool, and, when urged to reply to the slanders put upon him, replied with the story of the old deacon down in Connecticut who, when scandalous gossip was being spread about himself, said to his friends, "I always make it a rule never to clean out the path till the snow is done falling."[3]

While Webster was being alternately vilified and praised, discussion on the Compromise was proceeding in the Senate. Seward voiced the sentiments of the Free Soilers, demanding the immediate admission of California, denouncing the Fugitive Slave Act, stating that he did not fear threats to dissolve the Union, and, in a vivid phrase, announcing his faith in "a higher law than the Constitution." Salmon P. Chase followed two weeks later with the assertion that those who had killed the Wilmot Proviso had committed political suicide. Clay and Webster, desirous above all things of keeping the peace, were naturally annoyed. Public opinion, however, was gradually but surely turning towards their plan.

The death of Calhoun, on the last day of March, removed one of the insuperable obstacles to compromise. After an appearance in the Capitol on March 13, he had grown rapidly weaker, and finally, worn out and lonely, died at his lodgings at "Mr. Hill's boarding-house," with the words, "The South! The poor South! God knows what will become of her," on his lips. When the news was announced in the Senate, Webster paid a graceful tribute to the abilities, the integrity, and the patriotism of his great rival.[1] Webster wrote sadly of him, "He has been in public life so long, that a vast majority of the people have no recollection of any Congress without him." Webster even meditated the acceptance of an appointment on the Senate Committee deputed to escort Calhoun's body to South Carolina, but finally, for reasons which seemed conclusive, decided against it.[2] The distinguished Southerner, against whom Webster had so often been pitted, was buried on a beautiful spring day in the shaded cemetery of St. Philip's Church, in Charleston, where each year thousands of Northern visitors pay silent tribute at his tomb. There, in April 1865, William Lloyd Garrison laid his tired hand on the massive monument and said dramatically, "Down into a deeper grave than this slavery has gone, and for it there is no resurrection." That was indeed a significant morning, for, only a few hours earlier, Abraham Lincoln had breathed his last.

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[1] Everett, with his usual tendency to "trim," had first written Webster expressing his approval, but later refused to sign the address on the ground that such an act would be inconsistent with the fact that, as Governor, he had signed a resolution denouncing the project of annexing Texas as unconstitutional. Everett stated that the movement for an address from Boston citizens was initiated by Webster and carried through by Peter Harvey, his "confidential agent." (Frothingham, *Edward Everett*, p. 318.) Cushing was now a Democrat, and his signature was probably not requested. He was, however, heartily in favor of the Compromise of 1850.

[2] Pierce, III, 207.

[3] Harvey, p. 158.

Senator Foote's resolution establishing a Select Committee of Thirteen to consider the Compromise was adopted on April 18, and Webster, although he had voted against this method of reference, was named as a member. Clay was at once chosen Chairman, and Webster, thinking that conditions in Massachusetts required his presence there, left the capital for the North.

Webster had not anticipated any public greeting; but the news of his coming had spread, and a noisy throng had assembled spontaneously in Bowdoin Square, in front of the Revere House, which was to be his headquarters.[3] At a little after five o'clock on Monday, April 20, when he drove into the square from the railroad station, with Rufus Choate in the open victoria by his side, he found a band playing, the windows filled with ladies waving their handkerchiefs, and the streets so packed with people that the horses could barely make their way to the hotel door. From a temporary platform, Benjamin R. Curtis made an address of welcome; and then Webster, indifferent to comfort, stood up on the driver's seat and responded, referring to recent events at Washington. He declared that he did not intend to relax his efforts to bring about a compromise, and, with a tightening of the lips, added, "I shall minister to no local prejudices, I shall support no agitations having their foundations in unreal, ghostly abstractions." On the matter of fugitive slaves, he simply said that Massachusetts was "bound to the discharge of duty, — of a disagreeable duty." She had "conquered everybody's prejudices but her own." "The question now is," he concluded significantly, "whether she will conquer her own prejudices."

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[1] National Edition, X, 100 ff. Most of Calhoun's former political foes were kind to his ashes, but Benton was irreconcilable and sat in the Senate with his face ostentatiously turned away from the South Carolinian's eulogists.

[2] *Ibid.*, XVI, 538.

[3] The Revere House was then Boston's newest hostelry, built in 1847, and was under the management of Paran Stevens.

As he uttered these words, Webster's face was "never darker and sterner."[1] And indeed he was, for once, thoroughly angry. On the Seventh of March, he had abstained from personalities. He had described the abolitionists as including thousands of "honest and good men, perfectly well-meaning men," whose radical conduct, especially their "interference with the South," had produced mischief. To this far from savage criticism, the abolitionists had retaliated with the most outrageous calumnies. Their chief objections to the speech were three in number: first, that Webster was unwilling to abrogate the contract with Texas providing that four slave states could, if she desired, be carved out of her territory; second, that he had yielded to the supporters of the Fugitive Slave Bill; and third, that he had asserted that abolition societies had, during the preceding twenty years, produced "nothing good or valuable." In order to overwhelm Webster, men like Theodore Parker declared that he had sold himself to the South in the hope of becoming President; and they renewed the poisonous scandals about him, many of them affecting his private life. He soon learned that he had stirred up a nest of stinging hornets, who would give him no peace. Thus unscrupulously denounced, he retaliated in kind, and his own language became far more bitter than it had ever been before.[1]

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[1] Pierce, III, 199, Note 5.

When he discovered that feeling in Boston had been excited against him in many quarters, Webster was indefatigable in his efforts to make converts. The influence of his magnetic personality was a stimulus to his disheartened followers. He talked with legislators and judges.[2] He renewed the courage of the editors of the *Courier* and the *Advertiser*. He thanked Professor Moses Stuart for writing a pamphlet approving of the Seventh of March Speech.[3] He warned practical business men that nothing could be done to raise the tariff until the slavery question was settled. When he showed himself in the flesh in his familiar haunts, the feeling spread that the king could do no wrong, and men of conservative tendencies began to wonder whether Webster were not right after all. He attended a reception on May 9, and, after it was over, wrote Harvey, "For a *crushed man*, I enjoyed the occasion remarkably well."[4]

After three weeks of such campaigning, he was back in Washington, leaving Peter Harvey in Boston as a confidential agent. In his few spare moments Webster had been preparing a careful statement regarding the Fugitive Slave Bill. With his usual perspicacity, he saw that it was on this matter that

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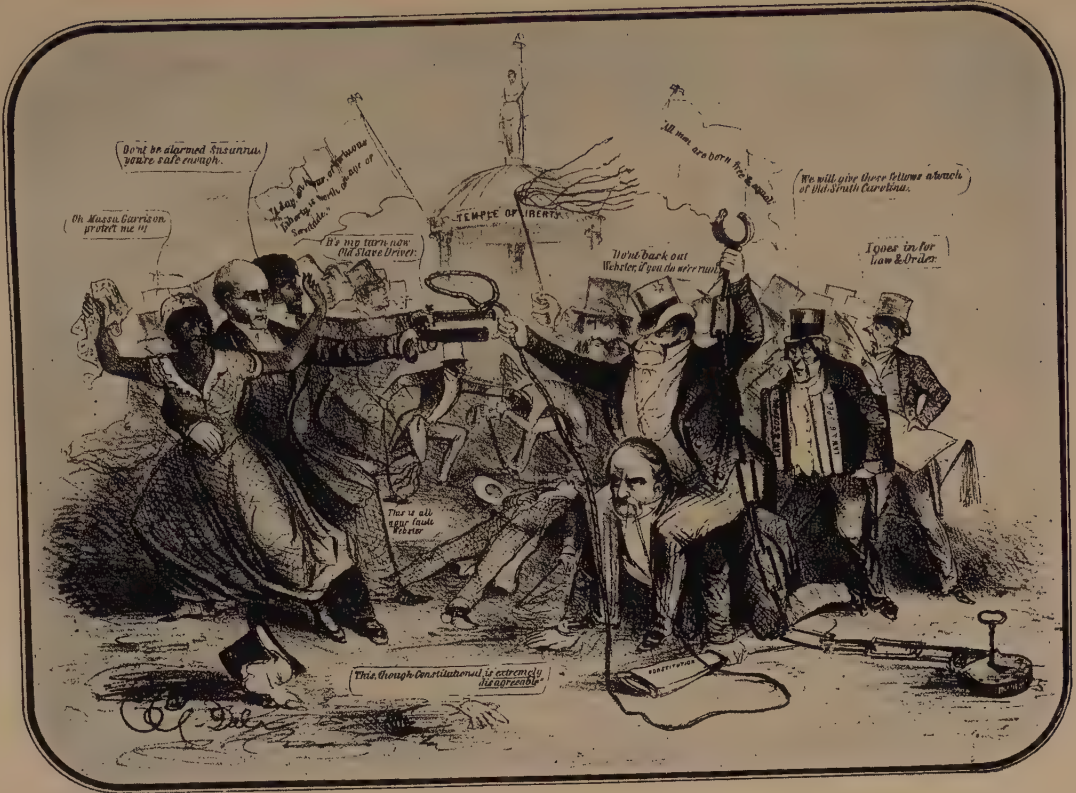
[1] Robert C. Winthrop, who did not entirely agree with Webster, wrote George P. Fisher: "Even after the Speech was made, I think, I have reason for thinking that he intended to fall in to the support of Gen'l Taylor's policy, as I have done. But the violence with which he was denounced at the North, & the ferocious assaults of the abolitionists in the West, made him angry, & impelled him to stand at bay & defy them." (*Scribner's Magazine*, May 1905.)

[2] Webster wrote on May 1: "It is lucky I came, before the Legislature broke up. The two Houses passed some flat and foolish resolutions, mainly through fear of their Constituents, but showed their real feelings, on the direct motion to instruct me." (National Edition, XVI, 538.)

[3] Professor Stuart's pamphlet was entitled *Conscience and the Constitution, with Remarks on the Speech of Webster on Slavery* (1850). Stuart undertook, among other things, to prove that the Old Testament justified human servitude. Webster looked forward to its appearance with eagerness and was much pleased with it when it was published. (Webster to Stuart, June 3, 1850, National Edition, XVIII, 371.)

[4] Webster to Harvey, May 11, 1850 (*Ibid.*, p. 368).


Don't be alarmed Susanna, you're safe enough.
Oh Massa Garrison protect me !!!
"A day, an hour, of virtuous Liberty is worth an age of Servitude."
It's my turn now Old Slave Driver:
TEMPLE OF LIBERTY
"All men are born free & equal"
Don't back out Webster, if you do we're ruin'd
We will give these fellows a touch of Old South Carolina.
I goes in for Law & Order.
This is all your fault Webster
This, though Constitutional, is extremely disagreeable
CONSTITUTION

The Cartoon "Practical Illustration of Fugitive Slave Law"

Webster is the figure on hands and knees
(*Courtesy of Edwin D. Bayley*)

he was most vulnerable. His letter, dated May 15, 1850, and addressed to certain citizens of Newburyport, is his formal defense of his position.[1]

In the Seventh of March Speech, Webster had said explicitly that he proposed to support the Fugitive Slave Act drafted by Senator James Mason, Chairman of the Senate Judiciary Committee — "with some amendments." It has been stated by Everett that Webster, when he made his speech, was not familiar with the items of Mason's bill and so confessed during a dinner at Frank Gray's.[2] Webster had himself, as early as February of that year, prepared a measure of his own, securing to the fugitive a jury trial, but he was aware that this provision would not receive the support of Southern members, and he was ready to concede the point in the interests of compromise.

In his letter to the citizens of Newburyport, Webster discussed the history of various plans for the reclaiming of slaves. He referred first to the section of the Constitution (Article IV, Section 2) dealing with the subject, pointing out that everybody in the Constitutional Convention had thought it "necessary and proper." He showed that the Congressional Act of February 12, 1793, respecting "persons escaping from the service of their masters," had received a large majority in both branches, and the full approval of all but one of the Massachusetts delegation. Since that time, several states — including Massachusetts — had passed laws forbidding their own officials to carry out the provisions of that Act; and it had been this attempt on the part of separate states to "hinder, obstruct, and defeat the enactments in this act of Congress" which had occasioned the new Fugitive Slave measure.[3] Finally, Justice Story's Opinion in the famous case of *Prigg* v. *Pennsylvania* (16 Pet. 539), in 1842, had declared that the power of Congress over fugitive slaves was absolute, and that every state statute on the subject was consequently invalid. If the principle were to be carried out, it was essential that the Law of 1793 should be replaced by an Act providing for enforcement by Federal officers.[1]

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[1] National Edition, XII, 225. The original letter from the citizens of Newburyport to him approving his course had been sent to him on April 8. See Webster to Harvey, May 19, 1850 (*Ibid.*, XVIII, 370).

[2] Everett's Journal for May 2, 1850, quoted in Frothingham, *Everett*, p. 320.

[3] Webster, in a letter to Ticknor, June 1, 1850, said: "If the Massachusetts law had not been passed, there would have been no occasion, so far as she was concerned, of any further legislation by Congress. It was her own legislation which made further legislation by Congress indispensable." (National Edition, XVI, 543.)

It has been contended that Webster's justification of the Fugitive Slave Act was "legalistic." In one sense this is probably true. But Webster's regard for obedience to established law was very scrupulous. If slavery were to continue to exist under the protection of the Federal Government, some such measure as this was inevitable; and his position was perfectly consistent, assuming that slavery was to be officially recognized. When the Fugitive Slave Act was passed by Congress, Webster was no longer in the Senate; but, although it contained provisions of which he did not approve, he would unquestionably have voted for it. To him, it was a necessary element in the whole scheme of compromise.

In Webster's absence, the Senate Select Committee had reported certain recommendations fulfilling the purport of Clay's original compromise plan and including the legislation to put them into effect.[2] This report precipitated a discussion which revealed some strange alignments: Northern Free Soilers, like Seward and John Davis, were joined with Jefferson Davis and the Southern disunionists in opposing the measure; Webster found himself allied with his ancient enemy, Lewis Cass. The influence of the administration, in spite of all that Clay did to propitiate the President, was exerted against the plan.

The effect of Webster's speech in dividing public opinion in the South was soon evident. The much-heralded gathering at Nashville — described in advance as a "Southern Hartford Convention" — met on June 3, with nine states represented. Many Southern radicals had expected that it would boldly "unfurl the flag of disunion." But the Compromise had split the delegates. Even the Chairman, Judge Sharkey, of Mississippi, was convinced that it should be accepted by the South; and Senator Foote, also of Mississippi, thought Webster's arguments to be unanswerable. Robert C. Winthrop wrote prophetically on March 7, "Webster's speech has knocked the Nashville Convention into a cocked hat." Foster's conclusion, after the careful reading of many Southern newspapers, was as follows, — "that the Southern convention movement proved comparatively innocuous in June is due in part to confidence inspired by the conciliatory policy of one outstanding Northerner, Webster."[1] In the end, said Rhodes, "this assemblage was not a wave, but only a ripple, of Southern sentiment."[2] Little attention was paid, even by Democrats, to the proceedings at Nashville. The eyes of the nation were on Washington, the stage where Clay and Taylor and Webster were playing their sensational drama — whether farce or tragedy was not yet clear.

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[1] Beveridge, *Lincoln*, II, 126.

[2] Webster asked Mangum to have the Report of the Committee postponed until his return to Washington, but the request was disregarded. (National Edition, XVI, 538.)

During the late spring, Webster was tireless in his struggles to carry through the Compromise. Every day the Unionist leaders were assembled in caucus, Clay in the chair, with Cass upon his right and Webster upon his left, the "Great Pacificator" directing the manœuvres of an oddly assorted group of confederates. Old and weary though he was, Clay spoke more than seventy times during the course of the summer. His temper was not always good, and he showed himself at times irritable and overbearing.[3] He had reason for being impatient, for the influence of the administration was difficult to combat. Webster himself was optimistic, but progress was very slow.[4]

Although Webster did not speak as frequently as Clay, he was ready when his influence was needed. On June 13, when Turney, of Tennessee, moved to strike out Section XXXIX of the Compromise Bill, containing the plan for settling the boundary controversy between Texas and New Mexico, Webster maintained that the adjustment should be made immediately, inasmuch as Texas was gaining ground daily in the disputed region, and there was grave danger that New Mexico might be swallowed up.[1]

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[1] Foster, *Webster's Seventh of March Speech and the Secession Movement, 1850*, pp. 17–20. Foster quotes the opinions of many representative Southerners.

[2] Rhodes, I, 174.

[3] Webster to Haven, July 4, 1850 (National Edition, XVI, 549).

[4] Webster wrote on June 18, "It is the opinion at the White House, to-day, that the Compromise Bill *will become a law.*" (*Ibid.*, p. 548.)

Four days later, speaking on an important amendment, Webster reiterated certain criticized doctrines of the Seventh of March Speech: that there was not a square rod of territory belonging to the United States the character of which, for slavery or no slavery, was not fixed by "some irrepealable law"; that there was no more danger of the introduction of African slavery into New Mexico than into Massachusetts; and that the boundaries of New Mexico should be fixed immediately.[2] Stung by the baseless attacks which had been made upon him, he said as he closed: —

> Sir, my object is peace. My object is reconciliation. My purpose is, not to make up a case for the North, or to make up a case for the South. My object is not to continue useless and irritating controversies. I am against agitators, North and South. I am against local ideas, North and South, and against all narrow and local contests.

Once more, ten days afterward, Webster emphasized the necessity of admitting California immediately. Soulé had interposed certain rather petty objections, pointing out that the Federal Government had no security that it could dispose of unappropriated lands in California, and that the boundaries, as defined by California herself, were so large and unnatural as to need revision. Webster, in reply, asserted that the case was "urgent and pressing" and that the alternative was the establishment of "a great Pacific republic, of which San Francisco would be the capital." Again announcing that he "had had no hand in introducing these territories into the Union," Webster, with practical considerations in mind, argued that the deed should be done at once. It was no time for delay because of minor matters.

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[1] National Edition, X, 107 ff.

[2] *Ibid.*, pp. 113–117.

So the discussion went on, until both the country at large and individual Congressmen were tired of talk. As the sultry season approached, visitors left Washington, and only the grumbling legislators remained. Day after day, on the floor of the Senate, statesmen wrangled over the details of the Compromise. "We are worrying along here, as well as we can, under a hot sun, and with difficult work at hand," wrote Webster, on Independence Day. And then, on that very afternoon, President Taylor, who, in spite of the high temperature, had attended the open-air exercises at the Washington Monument and had injudiciously drunk too freely of iced drinks, was taken ill. He rapidly grew worse; and, on Tuesday, July 9, at ten-thirty, he died, meeting his end with calm resignation. His successor, Millard Fillmore, took the oath of office at noon on the following day.

Everybody familiar with the situation in the capital knew that Fillmore's accession meant the domination of Daniel Webster. Clay told his daughter that Fillmore would "favor the passage of the compromise bill";[1] and it was obvious that Seward would no longer be an important factor at the White House. Taylor's cabinet, perceiving their inevitable fate, resigned, and Webster sent a note to Fillmore indicating his choice of cabinet members, with the space for Secretary of State significantly left vacant. On July 20, the President sent Webster's name to the Senate as Secretary of State.[2] On the next morning, the latter wrote: "I never did anything more reluctantly, than taking the office, which I have taken. . . . The truth is, I was so much urged, on all hands, that resistance was out of the case, except upon the grounds, which the letter received yesterday removed."[3] He assumed his new duties on Monday, July 22.

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[1] Webster, writing on July 11, to Haven, said, "I believe Mr. Fillmore favors the Compromise, and there is no doubt that recent events have increased the probability of the passage of that measure." (National Edition, XVIII, 376.)

[2] McMaster says, "Clay was . . . offered the Secretaryship of State, but at his suggestion it was tendered to Webster." (McMaster, VIII, 39.) I have been unable to find any other authority for this statement. The evidence in Webster's correspondence seems to indicate that Fillmore had Webster in mind from the beginning.

[3] National Edition, XVI, 553. The rather obscure reference in the second sentence

Early in July, Webster had planned to make a formal reply to Butler, of South Carolina, on the general subject of the Compromise. The news of the President's illness, however, compelled a postponement, and it was not until July 17 that he rose for his last remarks before that body with which he had so long been associated. Although his appointment to the cabinet had not yet been officially announced, rumor had been busy around the Capitol, and his speech had the aspect of a farewell.[1] Furthermore, the belief that Fillmore would lend his aid to the Compromise gave additional significance to what Webster would say.

Although it added little that was new to the debate, Webster's speech of July 17 was one of his noblest utterances.[2] The so-called "Omnibus Bill" — thus christened, somewhat derisively, by President Taylor — was before the Senate, carrying with it the admission of California, the formation of territorial governments for New Mexico and Utah, and the settlement of the boundary dispute between New Mexico and Texas. Briefly but firmly, Webster repeated his conviction that California should be admitted to the Union. If this were done, the Committee on Territories, headed by Douglas, was prepared to introduce bills bringing in New Mexico and Utah. It would be wise, from a practical standpoint, to take all these matters up at once. The kindred question of the Texan boundary must be adjusted immediately if hostilities between Texas and New Mexico were to be avoided.

In sorrowful language, Webster regretted that his Massachusetts colleagues in Congress did not think as he did.[3]

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has to do with the financial assistance which Webster hoped to receive from his Boston friends for the expenses of the office of Secretary of State, and of which he wished to be sure before he entered the cabinet.

[1] Regarding the printed version of this speech, Webster wrote, August 15, to Ticknor: "My last speech! Certainly the last in Congress, and not likely to be followed by any considerable efforts of the same sort anywhere else." (National Edition, XVI, 562.)

[2] *Ibid.*, X, 144 ff.

[3] John Davis, the other Senator from Massachusetts, was still steadfastly opposed to the Compromise, as were all the Congressmen from that state except George Ashmun, of Springfield. Webster wrote to Harvey, August 7, 1850, "I am tired of standing up here, almost alone from Massachusetts, contending for practical measures absolutely essential to the good of the country."

What would Massachusetts gain by the passage of the Omnibus Bill? She would gain the admission of California as a free state, the quieting of the New Mexico quarrel and the dispute over the Texas boundary, and "a final adjustment of by far the greater part of all the slavery questions." The settlement of these problems would mean much to a nation in which government had been virtually paralyzed for seven or eight months. What would Massachusetts lose? She would lose merely the application of the Wilmot Proviso to New Mexico and Utah; and New Mexico was not a country "in which slavery exists, or into which it can ever be introduced." After all, the Wilmot Proviso was but a means to an end, and ought not to be "raised to the dignity of a principle." In consideration of the vital importance of having suspense removed and harmony restored, the North should be willing to make concessions. It was time for the resumption of the "ordinary march of affairs."

What would the South gain by this bill? She would get "an acceptable and satisfactory mode for the reclamation of fugitive slaves." She would, through the abandonment of the obnoxious Wilmot Proviso, have her "wounded pride" appeased. She would also profit by "the general restoration of peace and harmony in the progress of the government." As for disunion sentiment in the South, Webster could not believe that it represented more than a minority of the people.

With regard to the Fugitive Slave Act, Webster declared, "There has not been a case within the knowledge of this generation, in which a man has been taken back from Massachusetts into slavery by process of law, not one"; and he added, "The principle of the restitution of runaway slaves is not objectionable, unless the Constitution is objectionable." To prove that the principle of the return of runaways had been long established, he produced a letter on the subject written in 1644, by Governor Berkeley, of Virginia, to Governor Winthrop, of Massachusetts. The South ought not to judge Massachusetts by the extravagant and violent utterances of Massachusetts abolitionists. Massachusetts was "a Union

State, thoroughly and emphatically," and she would always be loyal.

Finally, in a peroration whose earnestness we realize the more fully from the knowledge that it was Webster's last utterance in the Senate Chamber, he declared that the entire world was watching to see whether our government could survive the crisis. Congress had been, for more than seven months, disputing over points which were "of no practical importance to one or the other part of the country." In dramatic conclusion, Webster said: —

> For myself, I propose, Sir, to abide by the principles and the purposes which I have avowed. I shall stand by the Union, and by all who stand by it. I shall do justice to the whole country, according to the best of my ability, in all I say, and act for the good of the whole country in all I do. I mean to stand upon the Constitution. I need no other platform. I shall know but one country. The ends I aim at shall be my country's, my God's, and Truth's. I was born an American; I will live an American; I shall die an American; and I intend to perform the duties incumbent upon me in that character to the end of my career. I mean to do this with absolute disregard of personal consequences. What are personal consequences? What is the individual man, with all the good or evil that may betide him, in comparison with the good or evil which may befall a great country in a crisis like this, and in the midst of great transactions which concern that country's fate? Let the consequences be what they will, I am careless. No man can suffer too much, and no man can fall too soon, if he suffer or if he fall in defence of the liberties and Constitution of his country.

Whether deliberately or not, this final sentence reproduced almost the exact words at the end of Webster's Fryeburg Oration in 1802, when he was a young man of twenty; and the sentiment which it expressed might have been used as a keynote for his entire public life. It was fitting that he should depart from the United States Senate with such words on his lips and such a feeling in his heart.

In a few more days, Webster had left the Senate, and Robert C. Winthrop had taken his seat as his successor. But, although out of Congress, Webster did not relax his efforts for the passage of the Compromise, and he contributed several editorials on the subject to the *National Intelligencer*. The Omnibus Bill had, however, been so emasculated by amendments that, when finally passed by the Senate on August 2, it contained nothing constructive except a provision for the establishment of a territorial government for Utah. The result was distinctly disappointing, and Clay, virtually exhausted, escaped from Washington to Newport in quest of coolness and quiet. Webster, in a note to President Fillmore, wrote, "The crisis is important, all the North is in commotion at the loss of the Compromise Bill, a good message from you would do a world of good."[1] To his friend, Haven, he said, "The weather is excessively hot, but my courage holds out, and so does my strength."[2]

Although thwarted for the moment, the promoters of the Compromise went to work anew, and separate bills were once more introduced carrying out Clay's plan. Aided by the moral support of Fillmore's Texas Message,[3] the Senate passed, on August 9, the Texas Boundary Bill by a vote of 30 to 20, with Benton, Seward, Jefferson Davis, Chase, and Hale joined against the measure. On the following day, Webster, much gratified, wrote, "Abolitionism & disunion are a little less rampant."[4] Once under way, the machinery of legislation moved rapidly. The admission of California, in spite of a solemn protest from ten Southern Senators, passed the Senate on August 13; and the crucial Fugitive Slave Bill went through ten days later, with fifteen Northern Senators declining to vote. The last of the Compromise measures — the abolition of the slave trade in the District of Columbia — was triumphantly carried in the Senate in mid-September.

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[1] Webster to Fillmore, August 3, 1850 (National Edition, XVI, 556).

[2] *Ibid.*, p. 557.

[3] At the direction of the President, Webster sent, on August 6, to Governor P. H. Bell, of Texas, a vigorous communication, which he had drafted and Fillmore had somewhat revised. The complete text is printed in National Edition, XII, 153 ff. For an interesting account of the preparation of this document, see Webster to Haven, August 10, 1850 (*Ibid.*, XVI, 558–59).

[4] Webster to Lawrence, August 10, 1850 (*Ibid.*, p. 560).

Meanwhile, the House of Representatives had been doing its part. There were moments when a conservative like Philip Hone was much depressed, and he entered in his *Diary* for August 30 that "the two extremes of reckless opposition have met together in numbers sufficient to prevent (it is feared) the passage of any measures to restore harmony and union upon the basis of compromise and concession." But somehow obstacles were surmounted, and the Texas Boundary Bill and the New Mexico Territory Bill went through together on September 6, by a close margin.[1] After this had been accomplished, the remaining legislation was pushed speedily along: the California Bill was passed on September 7, the Fugitive Slave Act on September 12,[2] and the final measure a few days later. Hone recorded, "There is rejoicing over the land; the bone of contention is removed; disunion, fanaticism, violence, insurrection, are defeated." On October 2, Webster wrote to Harvey: "I can now sleep at nights. We have gone through the most important crisis which has occurred since the foundation of the government, and whatever party may prevail hereafter, the Union stands firm."[3]

Webster had sufficient reason for exultation. In August, the Whigs of the Suffolk district had nominated Samuel Atkins Eliot[4] for Congress in place of Robert C. Winthrop, who had taken Webster's seat in the Senate. Eliot, a supporter of the Compromise, was opposed by Charles Sumner, one of the most outspoken of Free Soilers. The nomination of Eliot was most gratifying to Webster, who was especially pleased when, on August 22, Sumner was overwhelmingly defeated. Indeed, Webster looked upon the result as his own personal vindication, and wrote to Harvey: "Boston, ever true and glorious Boston, has helped us immensely. Mr. Eliot's triumphant election awakened entirely new hopes. Up to that period, they had no hopes of the North. I never knew an election, by its mere character of an election, on certain principles, produce half so much effect."[1]

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[1] The actual vote was 108 to 97. Webster wrote to Haven, September 5: "The most intense interest prevails in regard to the fate of the Texan Bill in the H. of R. We shall lose two Mass. votes, as I fear, — Mann and Fowler. We are all doing what we can with propriety. I consider it a fearful crisis." (National Edition, XVI, 561.)

[2] On the evening of the passage of the Fugitive Slave Bill, the Unionists in the House serenaded Webster, who came out on the broad doorstep of his residence, attired in a dressing gown, with a friend on each side of him holding a candle. His speech began: "Now is the summer, — no! Now is the winter of our discontent made glorious summer by this son of York." (Poore, I, 384–85.)

[3] National Edition, XVI, 568.

[4] Samuel Atkins Eliot (1798–1862) graduated at Harvard in 1817, became a merchant, and was Mayor of Boston from 1837 to 1839. He was later Treasurer of Harvard (1842–53). He was the father of Charles William Eliot, afterwards President of Harvard.

Webster was tired and uncomfortable. He had been attacked by rheumatism in August and by his periodical hay fever in September, and his eyes allowed him to write only an hour a day. But the stimulus of success endowed him with courage to endure his ailments. Congress adjourned at the close of September, and Webster reached Marshfield in early October, much debilitated. Not for a week or more did he rid himself of his catarrh and resume his outdoor activities on his farm.

Except for a small body of extremists, who made more noise than their number warranted, the nation felt relief when the Compromise measures were signed by President Fillmore. Many newspapers appeared in extra editions, with large headlines, such as "THE COUNTRY SAVED." A salute of one hundred guns was fired on Boston Common. Union meetings were held in several Northern cities, at which sober-minded citizens deprecated any further agitation of the slavery question. In the South, also, there was a strong sentiment for supporting the Compromise. The adjourned Nashville Convention, assembling in November, was poorly attended, and its complaints made no impression on leading statesmen. A Georgia Convention, in December, was willing to abide by the Compromise as "a permanent adjustment of the sectional controversy."

The evidence proves that the Compromise pacified the Southern conservatives. Such an ardent secessionist as Langdon Cheves, of South Carolina, admitted that it was now impossible to "take the whole South out of the Union." He and his fellow disunionists were obliged to postpone their conspiracies until such a time as the entire South could agree to act together. The feeling among the saner thinkers of that section towards the close of 1850 was that the Compromise should be fairly tried; and it was also agreed that the ultimate test would be the faithfulness with which the Fugitive Slave Law was executed by the North.

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[1] Letter of September 10, 1850 (National Edition, XVIII, 385). Two days later, Webster wrote to Haven, "Truly it was not till Mr. Eliot's election that there was any confident assurance here that I was not a dead man." Sumner said of Eliot, "He dislikes a Democrat, and also a Free Soiler, as the gates of hell; still he is not without individual sympathies for the slave." (Pierce, III, 217.)

The Fugitive Slave Law was certainly not popular above the Potomac and the Ohio, and Webster himself, as we have seen, had preferred a bill granting an alleged runaway negro a jury trial. He was not in the Senate when the measure was passed, and, if he had been, would have moved a substitute embodying his own ideas.[1] But, although he did not altogether approve of the law, he assured the President that it was constitutional, and it was apparently on Webster's advice that Fillmore signed it.[2] Both Webster and Fillmore were convinced that the choice lay between adopting the Fugitive Slave Law and breaking up the Union — and they chose what seemed to them the lesser evil. George Ticknor, writing to Sir Charles Lyell, June 24, 1851, made the point that, even if the North had separated from the slave states rather than fulfill the Fugitive Slave Law, "we should be obliged to renew it in the form of a treaty, or enter into an endless war with them, which would be no better than a civil conflict."[3] Reasoning of this sort unquestionably went through Webster's mind in 1850.[4]

Protesters against the Fugitive Slave Law were not slow to make themselves heard. In Boston, on October 14, Faneuil Hall was packed with men and women who came to listen to the impassioned oratory of Wendell Phillips and Theodore Parker, and who voted enthusiastically for resolutions condemning the Act as unconstitutional. Parker dramatically told his audience of a fugitive in Canada who telegraphed his wife in Boston, "Can I come back?" "Will you let him back?" shouted the preacher. "How many of you will defend him to the worst?" Up went a "forest of hands." Other assemblies at Lowell, Springfield, and Syracuse expressed the chagrin and fury of the abolitionists. Webster himself was obliged to admit to the President that "the *general weight* of U. S. officers in this District is *against* the execution of the Fugitive Slave Law."[1]

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[1] Webster to Colby, November 11, 1850 (National Edition, XVIII, 402).

[2] Webster wrote to Fillmore, October 19, 1850, "It may be true that all the provisions of this bill were not expedient, but I think that some Bill & that an efficient one, had become necessary." (*Ibid.*, XVI, 569.) See also Griffis, *Fillmore*, p. 76.

[3] Ticknor, II, 272.

[4] For a vigorous expression of opinion hostile to Webster, see Emerson's address, "The Fugitive Slave Law," delivered, May 3, 1851, at Concord, and published in Vol. XI of his *Works*.

Webster's biographers have not evaded the question of his statesmanship in 1850. George Ticknor Curtis, in a monograph, *The Last Years of Daniel Webster* (1878), presented a dignified and carefully reasoned justification of his hero's conduct during the discussion of the Compromise; but many critics felt that Curtis was too much of a special pleader. Henry Cabot Lodge, relying on Parton and the abolitionists, went even farther in the other direction and concluded that nothing could acquit Webster "of error in the methods which he chose to adopt for the maintenance of peace and the preservation of the Union."[2] The weight of Lodge's authority perpetuated the tradition begun by Parker, to the effect that Webster was, in 1850, untrue to himself and to his previously declared principles. But, with the gradual dying out of the prejudices engendered by the Civil War and with the development of a younger generation of historical scholars, a new attitude towards Webster has grown up. Even as early as 1892, Rhodes, although biased in favor of the North, was obliged to confess that the compromise devised by Clay and supported by Webster was justified by its results, and that the main motive of their action was "unselfish devotion to what they believed to be the good of their country."[3]

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[1] Webster to Fillmore, November 15, 1850 (National Edition, XVI, 577).

[2] Lodge, *Webster*, p. 332.

[3] Rhodes, I, 192.

The question has been confused by rhetoric, by careless or vindictive misrepresentation, by irrelevant issues, and by malignant hatreds. Garrulity has been mistaken for argument, and mere rumor and assertion have been dignified as if they were facts. It is probably true that there was, early in 1850, a real danger of Southern secession. Certainly Webster thought so, for he said at Buffalo in the spring of 1851, "At the commencement of 1850, I looked anxiously at the condition of the country, and I thought the inevitable consequences of leaving the existing controversies unadjusted would be civil war."[1] The evidence accumulated by his tireless research into contemporary letters and newspapers justified Beveridge in concluding, "Except in armed warfare, no men ever faced a predicament more deadly than that which Clay and Webster then confronted."[2] Herbert D. Foster, after prolonged and exhaustive investigation, accepted the view that the Union was "in serious danger, with the culmination during the three weeks preceding Webster's speech."[3] Disunion sentiment in the North was not widespread, but the animosity felt by men like Garrison towards the South was given an importance far out of proportion to the numbers of those who upheld him, and Webster was rightly disturbed by what he heard and read.

Assuming that there was grave danger that the South would resolve to leave the Union, what was Webster's duty? He could, of course, have cried, "Let them go in peace!" — thus washing his hands of all responsibility. Rather than have a single fugitive slave sent back to his master, the fanatical Parker would have seen the Union dissolved until there was not a fragment left as large as Suffolk County. But to have taken this position would have been psychologically impossible for a man of Webster's strong convictions. His lifetime as a statesman had been spent largely in promoting the welfare and integrity of the Union. He could not have allowed it to break up without a protest. To prevent secession, he must advocate one of two plans — conciliation or coercion. Once again, his ingrained habits forbade him to counsel the employment of force except as a last resort, after all other reasonable methods had been tried. Furthermore, Webster had a strong sense, not only of legality, but of fundamental justice. He did not believe that the South was the only offender. He was not a sectionalist in 1850, but an American, who could see that Georgia and Mississippi had their grievances as well as Massachusetts.

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[1] Address at the Reception at Buffalo, May 22, 1851 (National Edition, IV, 260).

[2] Beveridge, *Lincoln*, II, 78.

[3] Foster, p. 20.

Although Webster did not originate the Compromise of 1850, he was quick to discern its value. He shrewdly surmised that an obdurate insistence on the Wilmot Proviso would block any suggestion of reconciliation and would gain nothing for the North except the empty satisfaction of getting its own way. He could hardly evade the fact that the South would not be pacified unless some plan for the effective rendition of fugitive slaves were granted by Congress. In Clay's proposals, Webster perceived an honest effort to induce each party to make concessions to the other. The Compromise, as Clay outlined it, yielded to the South the minimum which would be agreeable to its leaders. It seemed to him a fair solution of a complicated and disturbing problem.

The Seventh of March Speech unquestionably changed public opinion, both North and South, as no other similar utterance in our history has ever done. From the moment of its delivery, the heat of the disunionists was allayed by the cooling moderation of its words. "That South Carolina postponed secession for two years was due to the Compromise," said Herbert D. Foster. Agitators ceased their restless incendiarism and accepted the counsel of Daniel Webster. In the North, also, thousands of citizens followed his guidance. A grave responsibility rested upon him in March 1850. He could, by a mere gesture, have unleashed the dogs of war. Instead he advocated a policy of reasonable adjustment, and moderate counsels prevailed. People were willing to trust his judgment at a time when bedlam was let loose.

The Compromise of 1850 postponed the armed conflict for ten years. The North in 1850 was not sufficiently aroused on the slavery question to present a united front, and the ensuing decade was a period of gradual education. The publication of *Uncle Tom's Cabin*, the Kansas-Nebraska Act, the Dred Scott Decision — all these had their cumulative influence on public opinion. In the meantime, furthermore, the discrepancy in material resources between the two sections widened. The Senate, equally divided in 1850, showed in 1860 a majority of six for the North, California, Oregon, and Minnesota having been admitted during the interval. A tremendous increase in immigration from Ireland and Germany filled the North with desirable citizens, who were later to do their share, and more, in winning the Civil War. The Northwest also was consolidated and, wavering in 1850, later joined the antislavery cause. Finally, thanks to Webster's speech, Union sentiment had grown stronger, and his inspiring words were quoted again and again. Abraham Lincoln was brought up in the Websterian tradition and carried its spirit into the Presidency. By his wise statesmanship, Webster had given "Northern pacifism a chance to ebb, Northern nationalism a chance to develop." The verdict of history is with Clay and Webster, and has amply refuted the contemporary critics.

XXVI

SECRETARY OF STATE ONCE MORE

I was persuaded to think it was my duty, in the present crisis, to accept a seat in the cabinet, but it made my heart ache to think of it.

— WEBSTER TO HARVEY, July 21, 1850

Nothing will deter either the government or the people of the United States from exercising, at their own discretion, the rights belonging to them as an independent nation, and of forming and expressing their own opinions, freely and at all times, upon the great political events which may transpire among the civilized nations of the earth.

— WEBSTER TO HÜLSEMANN, December 21, 1850

WEBSTER'S second elevation to the office of Secretary of State was one of those sudden transitions demonstrating the mutability of human affairs. When the sun rose on Independence Day, in 1850, no fact seemed more certain than that John Middleton Clayton would head the President's cabinet as long as he chose to remain, up to March 4, 1853. On the following morning an exchange of ratifications of the Clayton-Bulwer Treaty took place.[1] Four days later, President Zachary Taylor was lying in his coffin; and Clayton promptly tendered his resignation, well aware that it would be accepted by the new Chief Executive, Millard Fillmore. Feeling "like a man with a mountain taken from his shoulders," Clayton retired to his farm, "Buena Vista," never again to enter public life.[2]

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[1] The Clayton-Bulwer Treaty, recently described as "probably the most persistently unpopular agreement ever made by the United States with a foreign government," was intended to facilitate and protect the construction of a ship canal across the Isthmus of Nicaragua from the Atlantic to the Pacific. John W. Foster has styled it "the most serious diplomatic mistake in our history." (*A History of American Diplomacy*, p. 326.)

[2] Clayton died November 9, 1856. He has been accurately described by Mary Wilhelmine Williams as "a strong second-rate man, a place which was chiefly won by negotiation of the Clayton-Bulwer Treaty, his ablest, as it was his most famous achievement." (*The American Secretaries of State and Their Diplomacy*, VI, 74.)

There can be no doubt that Webster was promised by certain of his friends in Boston that, if he accepted the Department of State, the additional expenses involved would be taken care of. Heavily in debt as he was, he hesitated to assume an office which would make large demands upon his pocketbook. While he was deliberating, his confidential adviser, Franklin Haven, wrote him a reassuring note; and later several of his admirers contributed a few thousand dollars as compensation for his pecuniary sacrifices. A recently discovered letter from George Griswold to Webster indicates that, in New York, forty men subscribed five hundred dollars apiece, agreeing to pay the amount in ten quarterly installments, and that John C. Green was to be the agent to send Webster the money as it was collected.[1] The charge that a corrupt arrangement was made to induce Webster to enter the cabinet was brought on the floor of Congress in February 1851, by Charles Allen, a Representative from Worcester, and was pronounced by George Ashmun, on Webster's authority, as "an unqualified falsehood." No one can read Webster's correspondence carefully, however, without being convinced that he delayed making his decision until he was sure of the financial backing of his friends.[2]

On July 23, Daniel Webster again took the oath as Secretary of State and sat down once more at his old high table, in the little room which he had liked so much eight years before. On the following afternoon he wrote Fletcher, "I have hardly done anything to-day but sign Passports & Certificates, & let all the world know, at home and abroad, that I am Sec. of State." [3] He won popularity at once by announcing that he would make no changes in the personnel of the clerks, among whom were George J. Abbot, an accomplished classical scholar in whom he placed the utmost confidence, and Mr. William C. Zantzinger, who attended to many annoying details. In June

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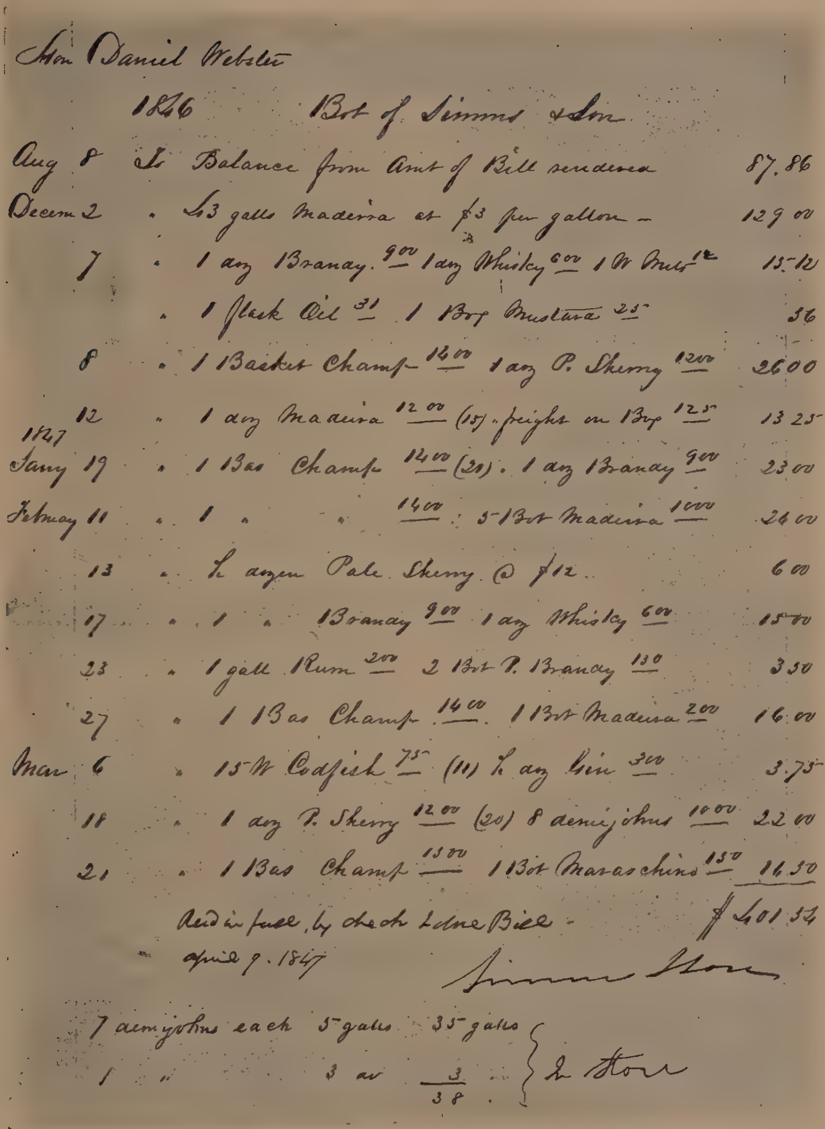
[1] Griswold to Webster, January 17, 1851 (Olney MSS.). Among the signers were Robert B. Minturn, Edward Curtis, Gouverneur Morris, Sydney Brooks, and J. Prescott Hall.

[2] See Curtis, II, 492 ff., for a somewhat disingenuous statement on the subject.

[3] Webster to Fletcher, July 24, 1850 (National Edition, XVI, 554).



Hon Daniel Webster

1846 Bot of Simms & Son

Aug 8	To Balance from Amt of Bill rendered	87.86
Decem 2	" 43 galls Madeira at $3 per gallon –	129 00
7	" 1 doz Brandy 9 00 1 doz Whiskey 6 00 1 lb Nuts 12	15.12
	" 1 flask Oil 31 1 Box Mustard 25	56
8	" 1 Basket Champ 14 00 1 doz P. Sherry 12 00	26 00
12	" 1 doz Madeira 12 00 (15) " freight on Box 1 25	13 25
1847 Jany 19	" 1 Bas Champ 14 00 (20) . 1 doz Brandy 9 00	23 00
Febmay 11	" 1 " " 14 00 ; 5 Bot Madeira 10 00	24 00
13	" ½ dozen Pale Sherry @ $12	6 00
17	" 1 " Brandy 9 00 1 doz Whiskey 6 00	15 00
23	" 1 gall Rum 2 00 2 Bot P. Brandy 1 50	3 50
27	" 1 Bas Champ 14 00 1 Bot Madeira 2 00	16 00
Mar 6	" 15 lb Codfish 75 (11) ½ doz Gin 3 00	3.75
18	" 1 doz P. Sherry 12 00 (20) 8 demijohns 10 00	22 00
21	" 1 Bas Champ 13 00 1 Bot Maraschino 1 50	14.50

Recd in full, by check & due Bill - $401 54

April 9. 1847 Simms & Son

7 demijohns each 5 galls 35 galls
1 " 3 " 3
38 } In Store

Webster's Account with the Vintner, Simms & Son, 1846

1851, he engaged as his private secretary a young man named Charles Lanman, who held that position until Webster's death. Everything considered, Webster was glad to be out of the turmoil of the Senate. Recalling his recent experiences in its debates, he wrote: "I am not yet free from the excitement it has produced. I am like one who has been sea-sick, and has gone to bed. My bed rolls and tosses by the billows of that sea, over which I have passed."[1]

Accustomed to entertaining, the Websters now entered upon a kind of "Indian summer" of social activities, and, during the ensuing winter, gave many delightful dinners in the brick house on Louisiana Avenue. In the basement dining-room there were guests on nearly every evening, and Monica, Webster's negro cook, was famous in the capital for her table delicacies, such as roasted canvasback ducks and fried oysters.[2] Even Webster's political foes acknowledged his graciousness as a host and were acquainted with his hospitality.

Much of Webster's time while Secretary of State was devoted to missionary work for the Compromise of 1850 and to the carrying out of its provisions, especially the Fugitive Slave Law. He had little opportunity for originating foreign policies. Most of his problems were inherited from his predecessor and included diplomatic difficulties with Austria, Spain, Mexico, Peru, and England, some of them complicated and long-standing.

In 1848, as a phase of a democratic uprising throughout a large portion of Europe, Louis Kossuth, the Hungarian patriot, had revolted against Austrian domination. The natural sympathy of Americans with all such popular movements, shown at an earlier period during the struggles of the Greeks to cast off the Turkish yoke, led to an idealization of Kossuth and his cause. In the summer of 1849, President Taylor had appointed A. Dudley Mann as a secret agent to investigate the situation, with power to negotiate commercial treaties, and even, if he thought best, to recognize Hungarian independence.

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[1] Webster to Haven, September 12, 1850 (National Edition, 388).

[2] Poore, I, 383–84.

Before Mann could reach Hungary, Russia had joined Austria in repressing the revolution, and Kossuth, with a band of followers, had fled to Turkey. In a Message of December 1849, Taylor had submitted the documents to Congress, explaining that he had wished "to be the first to welcome Hungary into the family of nations."

Meanwhile, the Austrian Government, through some skillful secret-service operations, had secured a copy of Mann's instructions; and the Chevalier J. G. Hülsemann, Austrian Chargé d'Affaires in Washington, had complained informally of the attitude taken by the Taylor administration. In late March, 1850, the President transmitted to the Senate all the correspondence with Mann. Hülsemann at once took offense, and, although warned by Webster that it would be unwise to do so, presented a strong official protest, accusing the United States of being "impatient for the downfall of the Austrian monarchy" and of using language "offensive to the Imperial Cabinet." Hülsemann was instructed to say that his government "totally disapproves, and will always continue to disapprove, of those proceedings, so offensive to the laws of propriety; and that it protests against all interference in the internal affairs of its government."[1]

The Hülsemann Note reached Webster's desk on October 2. On the next morning, he sent a copy to Fillmore, with the comment: "We shall have a quarrel with Austria. I have foreseen it for some time."[2] Within a few days, Webster evidently forwarded to Edward Everett a packet of documents relating to the matter, with a request that the latter draft a reply. Everett, under the conviction that President Taylor had acted rather too hastily, labored very hard for two or three days, and finally handed over his manuscript to Webster.[3] On November 12, Everett recorded in his Diary that Webster, who had been away for a rest of two weeks at The Elms, called on him in the evening, bringing with him a completed draft of the proposed reply to Hülsemann — which, according to Everett, was "mainly prepared from mine."[1] Webster had, however, made certain changes, which Everett declared to be "too fierce and bitter, addressed not *ad rem*, in any fair estimate of the occasion; but to the American appetite for highly spiced statements." It was Everett's "humble opinion" that the document "stood better as it was."

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[1] The full text of this letter is printed in National Edition, XII, 162–64.

[2] *Ibid.*, XVIII, 394.

[3] Frothingham, p. 322.

Everett was not the only expert to have a share in the project. Webster had also requested William Hunter, the efficient Chief Clerk of the Department of State, to try his hand at drafting a reply to Hülsemann.[2] According to Curtis, Webster, while ostensibly on his vacation at The Elms, studied the whole question with the manuscripts of Everett and Hunter before him, and then, with Everett's draft as a basis, made changes, omissions, and additions of his own. Curtis had seen all the documents involved — Hunter's original version, Everett's manuscript, with Webster's emendations, and the final draft prepared in longhand by Webster, with even later additions "of the most significant character."[3] According to Frothingham, Everett always considered the letter as "essentially his," and believed that Webster intended, after his retirement from office, to "acknowledge my agency in that matter."[4] The truth seems to be that the qualities which have made it a notable document in American diplomacy were added by Webster, on his own responsibility, and that he and Fillmore — who approved of them — deserve the credit or the blame.[5]

In the form in which it was finally sent,[6] the Hülsemann Letter was an extraordinary document, couched for the most part in the conventional style of courteous diplomacy, but with a boastfulness and self-assertion seldom found in the correspondence between sovereign powers. With an indifference to consequences which he probably would not have shown if he had been in controversy with a country like Great Britain, Webster declared that circumstances had made the American people "the representatives of purely popular principles of government"; that, although the United States was powerful and prosperous, it had abstained "from acts of interference with the political changes of Europe"; but that it could not help wishing success "to countries contending for popular constitutions and national independence." As to any retaliation on the part of Austria, the people of the United States were "quite willing to take their chances and abide their destiny." Webster said substantially: "The government of the United States is the best in the world. We are strong enough to stand up for ourselves, and we shall think and act as we please. We have no fear of any nation on earth."

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[1] Frothingham, p. 323.

[2] Poore, I, 403, says of this letter, "It was not, however, written by either Mr. Webster or Mr. Everett, but by Mr. William Hunter, then the Chief Clerk of the Department of State." Poore, however, is not always reliable.

[3] Curtis, II, 535–36.

[4] Everett to Wise, April 10, 1854, quoted in Frothingham, p. 324.

[5] Webster wrote to Fillmore, November 13, 1850: "I send to Mr. Derrick to-day the draft of a long answer to Hülsemann. . . . I have given a good deal of labor to its preparation, but still am not satisfied with it. I hope you will alter and amend freely." (National Edition, XVI, 576.)

[6] The full text is printed *Ibid.*, X, 165 ff.

The tone of the note was that of a young and ambitious country, asserting its rights by bluster and bombast. Clayton, his predecessor, wrote Webster a letter expressing his satisfaction with what had been done; and the reaction of the American press was for the most part highly favorable. Webster himself, in writing to Ticknor, said, "If you say that my Hülsemann letter is boastful and rough, I shall own the soft impeachment," and then went on to explain his motives: first, a wish "to tell the people of Europe who and what we are, and awaken them to a just sense of the unparalleled growth of this country"; and second, to "touch the national pride, and make a man feel *sheepish* and look *silly* who should speak of disunion."[1] Doubtless Webster hoped, by diverting attention towards foreign affairs, to keep people's minds off the Fugitive Slave Law and the other consequences of the Compromise of 1850. The letter was mainly for home consumption, and, as such, it had its merits; and it did have the effect of stimulating a spirit of nationalism. It was Lodge's judgment that "Hülsemann's impertinence fully justified such a reply, and a little rough domineering was, perhaps, the very thing needed."[1] This fails, however, fully to excuse the braggadocio, which was not usually characteristic of Webster in his diplomatic correspondence.

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[1] Webster to Ticknor, January 16, 1851 (National Edition, XVI, 586).

There was a serio-comical sequel to this exhibition of American self-sufficiency. Kossuth, a refugee in Constantinople, was a trifle bewildered by such an unexpected intervention in his behalf. A Congressional resolution instructed the President, if possible, to bring the Hungarian leader to our shores; and, in early September, 1851, he embarked at the Dardanelles on the *Mississippi* and, after a short visit at London, landed at Staten Island on December 5, where he was rejoined by the remainder of his party. New York greeted him as if he were a monarch. Salutes were fired from forts and warships in the harbor. Hungarian and American flags were flung to the breeze from the mastheads of vessels and from public buildings. Spontaneous cheers arose from a hundred thousand throats. No foreigner since Lafayette had received such a welcome. In the midst of it all moved the patriot, a short, round-shouldered man, with high wrinkled forehead and a heavy beard, slight in frame and evidently rather weary. To him it must have seemed as if New Yorkers were quite mad. It was an early demonstration of the mob psychology with which twentieth-century Americans have become too familiar. Some old men remembered the ovation which had been accorded nearly sixty years before to Citizen Genêt — and wondered!

This opening reception was the signal for dinners and deputations, balls and benefits, addresses of welcome and torchlight processions. Sitting in his office at the Department of State, Webster read of the excitement and pondered as to what his conduct should be. Kossuth himself had shown much discretion, and had declined to let himself be exploited by abolitionists or socialists. Webster, however, prudently declined an invitation to an editorial dinner at the Astor House, and wrote, just before Christmas: "It requires great caution so to conduct things here, when Mr. Kossuth shall arrive, as to keep clear both of Scylla and Charybdis. We shall treat him with respect, but shall give him no encouragement that the established policy of the country will be in any degree departed from."[1]

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[1] Lodge, *Webster*, p. 335. A large part of the original documents in the affair are contained in a bound volume, in the New Hampshire Historical Society, entitled "The Hülsemann Letter and Correspondence Connected with It." It includes 28 separate items, several of which have never been printed, but the most important of which are published in National Edition, XVI, 584 ff.

Congress, meanwhile, was debating the manner of his reception in the capital,[2] and was behaving like a woman who has impetuously blurted out an invitation to a stranger and then wonders whether she has committed herself too far. After brief visits in Philadelphia and Baltimore, Kossuth reached Washington on December 30. He was met at the railroad station by Senators Seward and Shields, and Webster called upon him at noon. "He is handsome enough in person, evidently intellectual and dignified, amiable and graceful in his manners," Webster wrote to Blatchford. He added, "I shall treat him with all personal and individual respect, but if he should speak to me of the policy of 'intervention,' I shall 'have ears more deaf than adders.'"[3] On the following day, Webster escorted Kossuth to meet the President, who received him "with great propriety" and invited him to dinner at the White House.

Kossuth and his suite were entertained, at the expense of Congress, in Brown's Hotel, where they consumed enormous quantities of food and wine, and considerably damaged the furniture.[4] Webster did his utmost to make the patriot realize that the warmth of his reception was not to be interpreted as meaning that the United States Government would interfere in his behalf; but the distinguished Magyar cannot be blamed for cherishing high hopes. He was welcomed cordially by the Senate, and a number of Congressmen tendered him an elaborate subscription dinner at the National Hotel. Webster, as one of the speakers, made a powerful argument for Hungarian independence, saying, "We shall rejoice to see our American model upon the Lower Danube and on the mountains of Hungary," and offering as a toast, "*Hungarian Independence*, — Hungarian control of her own destinies; and Hungary as a distinct nationality among the nations of Europe."[1] It was not an altogether tactful utterance from an American Secretary of State, and Hülsemann, as the representative of Austria, had some justification for protesting to Fillmore and ultimately withdrawing from our country.

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[1] Webster to Haven, December 23, 1851 (National Edition, XVIII, 497).

[2] It was in the course of this discussion that Charles Sumner made his first speech in the Senate. Many Senators wanted to be sure that we did not abandon our traditional foreign policy.

[3] Webster to Blatchford, December 30, 1851 (National Edition, XVIII, 501–02).

[4] Poore, II, 405. The hotel bill of Kossuth and his staff amounted to nearly $4600. An itemized account was presented to the House of Representatives and carefully scrutinized. See Rhodes, I, 243. The expenses of the party in New York had totaled more than $14,000. See *New York Herald*, December 23, 1852.

From Washington, Kossuth proceeded on a tour of the West and the South, where he met with little encouragement. His return to the national capital called forth no formal demonstration, but he was better treated in New England, and a considerable sum was raised in his behalf. When Kossuth reached Plymouth, Webster had suffered a painful accident, and was unable to be present, but he sent a letter full of sonorous platitudes. In the middle of June, with the utmost secrecy, the Hungarian and his wife departed for Europe on the *Africa*, carrying with them more than $100,000. In reality, the mission had been a failure. The mob mania had died away almost as suddenly as it had arisen. The House of Representatives could muster only seven votes in favor of a resolution stating that the United States would not look with indifference on the intervention of Russia against Hungary in the struggle for liberation from Austria. Sobering down after an outburst of exuberant hospitality, the United States did not propose to alter its policy of isolation. During the spring, Webster had been presented by his friend, Mr. Colt, with three imported Hungarian cattle, one of which, a rather vicious bull, he proposed to call Kossuth. Later, the animal gored John Taylor, foreman at The Elms, and wounded him seriously; and Taylor, in relating the accident, said, "Why, Mr. Webster, he is no more fit to be at large than Kossuth is."[1]

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[1] Webster's remarks are printed in National Edition, XIII, 452 ff. He declared that he was ready to repeat what he had said of Greece a quarter of a century before, and expressed himself forcibly in favor of national self-determination. See Webster to Blatchford, January 11, 1852 (*Ibid.*, XVIII, 504).

The dispute between Webster and Hülsemann now reached a culmination. The Secretary of State notified the Austrian Chargé that, in the future, all his communications must be written. On April 29, the latter announced that his government would not allow him longer "to continue an official intercourse with the principal promoters of the much to be lamented Kossuth episode."[2] Webster, in his correspondence with our representative at Vienna, stated that Hülsemann was not well informed as to his duties and privileges; that he had no right to appeal to the President over the head of the Secretary of State; and that no foreign government could legitimately be offended at remarks uttered by an officer of the United States in a private capacity.[3] For a few weeks, it looked as if relations with Austria might be severed; but the death of Schwarzenberg somewhat modified the attitude of Austrian diplomats, and Webster's death not long afterwards removed the chief actor in the drama. One of the difficulties not usually mentioned was the propensity of President Fillmore to grant interviews to a trouble-maker like Hülsemann, who was criticizing one of the cabinet.[4]

Cuba, with its commanding location off our southeastern coast, had, since the opening of the century, been of much concern to our government. Webster himself, during his first incumbency as Secretary of State, had guaranteed the island to Spain; but President Polk had attempted to purchase it for one hundred million dollars, thus arousing the suspicion of Madrid. When this offer was rejected, there was nothing for President Taylor to do but respect Spanish sovereignty, particularly against possible encroachments by England and France. Our government did not object to the control of Cuba by a relatively weak nation, like Spain, but it would not tolerate a more formidable rival.

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[1] Webster to Taylor, March 25, April 10, and July 8, 1852 (National Edition, XVI, 648–50). When the donor objected to the name Kossuth, Webster christened the bull "Saint Stephen." Fletcher Webster told his father that "these Hungarian cattle, biped or quadruped, are dangerous to American institutions and constitutions." (Webster to Curtis, July 16, 1852, *Ibid.*, XVIII, 538.)

[2] Hülsemann to Webster, April 29, 1852 (National Edition, XIV, 502).

[3] Webster to McCurdy, June 8, 1852 (*Ibid.*, p. 503 ff.).

[4] *The American Secretaries of State*, VI, 93.

President Taylor had had no small amount of annoyance from the activities of American filibusterers who had attempted to start revolutions in Cuba. Most of the trouble centred around Narciso Lopez, a picturesque Venezuelan adventurer, who insisted on fitting out expeditions in spite of all our authorities could do. In May 1850, when Lopez evaded our watchfulness at New Orleans, the President sent a warship in pursuit. Once again Lopez eluded our naval guard and caused some damage at Cardenas. Later he was arrested, but was twice acquitted by sympathetic Southern juries, who, quite naturally, were not averse to having Cuba in the Union as a slave state. On May 21, 1850, in the Senate, replying to Senator Yules, of Florida, Webster gave a clear exposition of our duty as a neutral power under such conditions, showing the "stipulations of peace, amity, and good-will" contained in our treaty with Spain, and proving that the law required the President to exert the military and naval forces of the United States to block such predatory expeditions as those of Lopez.

When two of Lopez's vessels were seized by Spain and the prisoners accused of piracy, Secretary of State Clayton boldly demanded their release, and adopted a belligerent manner in order to secure their freedom. The Spanish Government maintained its right to try the prisoners; but, in late July, 1850, after Webster took over the Department of State, all but three were released; and, when these three had been sentenced to jail, they were pardoned by the Queen, and the *casus belli*, never welcomed by Webster, was thus removed.

Webster notified the Spanish Minister, Señor Calderón de la Barca, — one of his close personal friends, — that everything should be done to prevent filibustering, and sent out orders to our harbor officials to exercise especial vigilance. He was unable, however, to forestall Lopez from organizing a third expedition in the spring of 1851. A group of optimistic gamblers thought that a successful demonstration in Cuba would ensure recognition from the United States; bonds were sold to speculators, volunteers were easily obtained, and the principal command was offered first to Jefferson Davis, and then to Robert E. Lee, each of whom, after some hesitation, declined. The watchfulness of Federal officers prevented the escape of a ship from Savannah, but Lopez, in early August, managed to slip out of New Orleans on the steamer *Pampero*, with nearly five hundred men, most of them citizens of the United States. Webster had not been apprehensive, but had written: "The Cuban expedition will all blow out, North and South. Those engaged in it are a set of geese."[1]

The invaders did, however, actually land on the island of Cuba. Their vessel ran aground sixteen miles from Havana, and Lopez, marching inland, was attacked, defeated, captured, and garroted — a fate which he undoubtedly deserved. Colonel Crittenden, nephew of the Attorney-General, fell back and put to sea, but he and fifty of his men were taken, and, after a trial, were condemned and shot in the public square of Havana. When the news of this disaster reached New Orleans, an angry mob sacked the office of the Spanish Consul, burned a Spanish flag, and looted various shops kept by Spaniards. Apparently no effort was made by the local police to restrain the violence of the rioters.

When de la Barca naturally demanded an apology and an indemnity for the sufferers, Webster replied courteously, saying that the President looked upon the outrages "not only as unjustifiable, but as disgraceful acts, and a flagrant breach of duty and propriety." He promised that the Spanish Consul should be received with a salute to his flag and that a recompense for his damages would be recommended to Congress. The harm having been committed by a body of irresponsible persons, the victims were entitled, of course, to the redress which they could secure through the courts; but Webster also urged Congress to vote an appropriation to cover their losses, and his request was complied with. Webster's attitude throughout was just and generous, and his notes were most cordial in tone.

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[1] Webster to Blatchford, April 30, 1851 (National Edition, XVIII, 437).

The alleged failure of the United States to block filibustering expeditions from landing in Cuba was made the excuse for England and France to order their squadrons in the West Indies to repel, by force if necessary, any hostile attacks on the Spanish possessions. Webster, although ill at Marshfield, at once announced that any attempt to carry out these instructions would be regarded by us "with grave disapproval."[1] In the course of a considerable correspondence with Fillmore, Webster and the President agreed that the United States would oppose the transfer of Cuba to any European power.

No American Secretary of State has known better than Webster how to deal with Great Britain. He was acquainted with many of the staff at the British Foreign Office, and he understood perfectly the psychology of John Bull. During this period the two countries resembled two truculent mastiffs on neighboring estates, growling at one another from time to time, but each amiably disposed towards the other. On the problems of the Clayton-Bulwer Treaty, each nation was somewhat disingenuous. Its phraseology was, in places, ambiguous, and from this vagueness each hoped to gain something. A change of ministry in December 1851 removed the bellicose Lord Palmerston from control of British policy and made Lord John Russell premier.[2] After a friendly interchange of notes between Sir Henry Bulwer — who, because of ill health, had been obliged to return home — and Webster, James F. Crampton was selected as Minister to Washington. Unfortunately Webster's death prevented any immediate settlement of the various questions in dispute.

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[1] Webster wrote to Fillmore, December 8, 1851, that the first attempt to execute these orders "by visiting an American ship, or in any other way interrupting our commerce, would lead to immediate war." (National Edition, XVIII, 494.)

[2] Webster did not like Palmerston and regarded him as hostile to the United States. Webster to Fillmore, February 25, 1852 (*Ibid.*, p. 510).

Out of the complicated tangle of Central American politics emerges the fact that Great Britain, as the ally and protector of that monarch who enjoyed the picturesque title of "King of the Mosquitoes," did not wish to abandon even this slight footing on the isthmus. The Mosquito Coast, being in control of the river of San Juan de Nicaragua and of the harbor at its mouth, was thus strategically in an important position. Sir Henry Bulwer assured Palmerston in 1850 that nothing had been abandoned by England regarding the Mosquito Protectorate; but Secretary Clayton undoubtedly thought otherwise. Furthermore, there were local boundary disputes in Central America which could not be adjusted without the interposition of some stronger hand. Webster's fears about the situation may be judged from what he wrote in February 1851: —

> I look upon the Nicaragua mission, and all the Nicaraguan affairs, as being, at this moment, the most delicate and important point in our foreign relations. . . . We are in danger of collision with England, and of entanglements, on the other hand, with these little republics.[1]

Abbott Lawrence, our Minister in London, wrote confidentially to Webster on January 2, 1852, that the British Government was "becoming tired of continuing the protectorate" and would gladly abandon it if any method could be devised of saving the national honor. In the meantime, Webster had found a convenient opportunity for asserting our own dignity. When the American steamship *Prometheus* refused to pay a small sum in port dues claimed by the city authorities at San Juan del Norte, and started out of the harbor, the English brig-of-war *Express* fired round shot at her, compelled her to heave to and put out her fires, and forced her captain to pay, under protest, the $123 required.[2] The commander of the *Express* apparently acted under orders from Greene, the British Consul at San Juan.

When the news reached Webster, he wrote to Lawrence, instructing him to address a note to Palmerston, and added, "This Government . . . cannot consent to the collection of port charges at San Juan by British ships of war, or that their collection should be enforced by them."[1] At the same time he confessed to Fillmore, "This affair of the Prometheus is serious, and likely to produce excitement."[2] The President promptly sent an armed vessel to the scene of the dispute. As the controversy arose at about the time when England and France had agreed to guard the Cuban coast, Webster was considerably perturbed. At the end of December, in a letter to Lawrence, he burst out, "I am quite at a loss to know what importance there is in the retention of this miserable town by England, to justify all the hazards of collision which her continued possession of it will certainly entail upon her and us."[3]

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[1] Webster to Fillmore, February 3, 1851 (National Edition, XVIII, 416–17).

[2] *Boston Daily Advertiser*, December 3, 1851.

Lord Granville had now succeeded to the Foreign Office and, as soon as the facts were known, disavowed the firing on the *Prometheus*. Thus the crisis passed as quickly as it had arisen.[4] Bulwer, who saw the common sense of Webster's position, then inquired what plan the latter could propose for settling the whole Mosquito question.[5] In late January, it was decided that Crampton should succeed Bulwer at Washington, and Webster wrote: "I am glad Crampton is to be your successor. We like him here. I prefer to treat with him rather than with an untried person."[6] Within a few weeks he and Crampton had perfected a Convention, dated April 30, 1852, by which a quadruple treaty was to be proposed to Costa Rica and Nicaragua for the settlement of Central American problems. The plan was excellent, but Nicaragua would not agree, and no adjustment had been made by the time of Webster's death.

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[1] Webster to Lawrence, December 3, 1851 (National Edition, XIV, 450).

[2] Webster to Fillmore, December 3, 1851 (*Ibid.*, XVIII, 492).

[3] Webster to Lawrence, December 29, 1851 (*Ibid.*, XVI, 634).

[4] Webster wrote Bulwer, February 10, 1852, "We think that Her Majesty's Government has behaved with great honor and justice in the affair of the Prometheus." (*Ibid.*, p. 640.)

[5] Bulwer to Webster, January 1, 1852 (Curtis, II, 594).

[6] Webster to Bulwer, February 10, 1852 (National Edition, XVI, 640).

In July 1852, a minor source of irritation between the Anglo-Saxon countries arose over the matter of the fisheries in and about the Gulf of St. Lawrence. The Convention of 1818 had forbidden American fishermen within three marine miles of the coast; but, by a relaxation of the strict rules, the British, since 1845, had allowed our boats to enter all the great bays more than six miles wide at the mouth, only stipulating that they should keep more than three miles from the shore of the bay. In 1851, when Great Britain was unable to secure from the United States the importation of fish without duty into American ports, she decided to retaliate by a strictly legal interpretation of the agreement; and Crampton notified Webster that England was dispatching a war fleet to assist the Canadian squadron in enforcing literally the Convention of 1818. Webster immediately informed our fishing interests of what had happened. Then, although he was far from well, he invited Crampton to meet him in Marshfield to negotiate regarding the matter. England was, of course, strictly within her rights, but the effect on our fishing industry was likely to be disastrous. Of 80,000 barrels of mackerel brought into Gloucester annually, it was estimated that 60,000 were taken in the waters from which the British now proposed to exclude our fishermen. Webster warned Fillmore that the interruption of the usual occupation in the British provinces was "a very serious business,"[1] and he notified Crampton that the situation was "full of danger."[2] The latter at once set out for the North, and Webster, who had been at The Elms, returned on July 25 to Marshfield, where he was greeted by an immense assemblage of people from the surrounding countryside. In his speech he declared that the sudden interruption of the pursuits of American citizens could "hardly be justified by any principle or consideration whatever," and assured his audience that it was a subject "upon which no one sleeps in Washington."[3]

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[1] Webster to Fillmore, July 17, 1852 (National Edition, XVIII, 539).

[2] Webster to Crampton, July 17, 1852 (*Ibid.*).

[3] Speech at Marshfield, July 25, 1852 (*Ibid.*, XIII, 539 ff.). This, Webster's last public address, closed with an expression of good wishes for his friends and neighbors.

Fillmore, meanwhile, had urged Webster to accept the Ministry to England, which Lawrence was about to resign. On the very day of this speech, Webster, who could not have been unaware of his serious physical condition, definitely declined the offer. Webster and Crampton talked over affairs in a friendly way, but Crampton had no authority to negotiate on the subject, and ultimately the matter was left for future diplomats to settle.[1]

In pursuance of the American policy of furthering quick means of transportation to the Pacific, our Department of State was interested, not only in canals across Central America, but also in the construction of a railroad over the Isthmus of Tehuantepec, through Mexican territory. It was not to be expected that Mexicans, with the memory of their recent defeat still vivid in their minds, would be eager to promote our plans. Nevertheless Webster, on August 24, 1850, sent to Letcher, our Minister to Mexico, a draft of a treaty, accompanied by an argument pointing out the benefits which Mexico would derive from its acceptance. When the Mexican Minister of Foreign Relations objected to granting almost unlimited authority over the railroad to the United States, Webster accepted a modified treaty, which was duly approved by the Senate. Then the Mexicans, still suspicious, rejected even this arrangement, and the United States was left without any recourse except to arms; and Daniel Webster was not the man to advocate war on such slight provocation.[2] In spite of all that he could do, Mexico remained fearful of our motives, and the attempt to establish transcontinental communication across Tehuantepec had to be abandoned. As late as August 21, 1852, Webster wrote Fillmore, "The condition of Mexico is horrid," but added grimly, "Happily for you and me, the business will fall into the hands of one or the other of the generals" — a reference to the military records of Scott and Pierce, then before the country as candidates for the Presidency.[3]

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[1] Webster to Fillmore, August 4, 1852 (National Edition, XVI, 661).

[2] Webster wrote Fillmore, August 19, 1851, "Mexico is, at present, the main point of interest in our foreign relations." (*Ibid.*, XVIII, 464.)

[3] Webster to Fillmore, August 21, 1852 (*Ibid.*, p. 550).

With memories of the success of Caleb Cushing's mission to China in 1844–45 in his mind, Webster made arrangements for an expedition to Japan, and sent to Commodore Aulick certain instructions, telling him to obtain, if possible, from the Emperor of Japan, permission to purchase in that country the coal necessary for fueling a projected line of steamers between California and China — "the last link in the chain of oceanic steam navigation."[1] The squadron was eventually transferred to the command of Commodore Perry, who did not enter the harbor of Yedo until 1854. The original suggestion, however, was Webster's, and the work which he so effectively began was carried on long after his death.

The last international question to occupy Webster's mind concerned the Lobos Islands, off the coast of Peru, and his handling of it is an interesting illustration of his sense of justice. Certain American citizens, who had been taking guano from these islands, appealed to Webster for protection against molestation by the Peruvian Government; and Webster, thinking from a casual investigation that our government had some rights in the matter, requested Graham, the Secretary of the Navy, to send a vessel into those waters for that purpose.[2] Some further studies, however, convinced him that he had been wrong, and that the Peruvian claim could not be invalidated. Accordingly, after receiving three notes from Osma, the Peruvian Minister at Washington, Webster discussed the whole problem with him in a noteworthy communication, stating the claims of both contestants and expressing a willingness to investigate the matter further; and he directed Commander McCauley, of our Pacific squadron, to abstain from protecting any of our vessels which might try to carry away guano in defiance of decrees of the Peruvian Government. This letter, written while he was on his last trip to Washington, shows no abatement of his mental power. Ultimately the sovereignty of Peru over the disputed islands was fully conceded by our Department of State.

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[1] National Edition, XIV, 427 ff., June 10, 1851.

[2] *Ibid.*, p. 561, June 5, 1852. See also Webster to Fillmore, July 13, 1852 (*Ibid.*, XVIII, 536–37).

Although he wished to resign, Webster, at Fillmore's request, remained in office until his death on October 24, 1852. He had suggested Edward Everett as his successor, and the President, a few days before Webster's demise, had already offered Everett the post. It was the latter's function, after his assumption of the Secretaryship on November 6, to withdraw the United States as gracefully as possible from the altercation with Peru, and his letter of November 16 was a tactful confession of Webster's blunder. It is only just to Webster, however, to state that he was himself prepared to admit his mistake. He had formed an opinion on inadequate evidence, and it was fortunate that there were no serious consequences.

It was indeed amazing that Webster, in poor health, occupied with speeches and nervous over the approaching presidential campaign, should have been able to handle so ably the complicated problems which then confronted his Department. "E'en in our ashes live their wonted fires." Until his vitality was completely drained, he was a harder worker than any of his subordinates. While in Washington, he was awake at sunrise and usually among the first to be at his desk. He disposed of his correspondence with great rapidity and promptitude of decision, not infrequently keeping two secretaries taking dictation simultaneously. Lanman has left a vivid picture of him as he paced restlessly up and down, now giving his chief clerk a sentence to be incorporated in a diplomatic document, and then turning to the room occupied by his private secretary and outlining the skeleton of a more private communication. In dealing with callers, he was courteous, but very businesslike, and he wasted no time in superfluous talk.

There were periods, of course, when all was relatively quiet. Again, however, he would be occupied at the same moment with several highly technical matters,[1] any one of them likely to bring trouble in its wake unless discreetly handled. Even under this strain, he was cool and undisturbed, and he succeeded admirably in avoiding ruptures with foreign powers while maintaining the dignity of the United States.

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[1] "For ten days I have been busy with Cubans, Thrasher, The Prometheus, the supposed treaty between England, France, and Spain, etc." (Webster to Blatchford, December 18, 1851, National Edition, XVIII, 495.)

Webster's last letter written with his own hand was to President Fillmore on Monday, October 18,[1] and contained the words, "Consider my resignation as always before you, to be accepted any moment you please."[2] His last official act was to request Fillmore to allow his assistant, Conrad, to have the honor of signing a treaty.[3] The incident was typical of his thoughtfulness and regard for his associates.

Webster's record during his second term as Secretary of State was entirely to his credit. He had no great international problems to adjust, but the distinction which he won for himself and his country during those two years would in itself entitle him to a conspicuous position among American diplomats. When he died, he was still in the service of the United States.

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[1] National Edition, XVIII, 560.

[2] The tone of the letter is one of submission to the inevitable.

[3] Webster to Fillmore, October 17, 1852 (National Edition, XVIII, 559). See also Webster to Fillmore, August 4, 1852 (*Ibid.*, XVI, 661).

XXVII

THE FINAL DISILLUSIONMENT

> The worldly hope men set their hearts upon
> Turns ashes — or it prospers; and anon,
> Like snow upon the desert's dusty face,
> Lighting a little hour or two — is gone.
>
> — FITZGERALD, *The Rubaiyat of Omar Khayyám*

> I regard no man as any way fit to be chief magistrate of this Republic, who should not deem himself to be the President of the whole people, and act accordingly in all things.
>
> — WEBSTER TO BACON, April 8, 1852

IT was a fragrant, rather oppressively humid evening in June 1852. News had just reached Washington that the Whig Convention at Baltimore had nominated for the Presidency General Winfield S. Scott, — "Old Fuss and Feathers," — and a hastily improvised procession of exuberant Whigs, headed by a brass band, was marching through the streets, stopping here and there to serenade party leaders. Sitting alone in the library of his Louisiana Avenue home, Daniel Webster could hear the shouts of the mob, and soon the cheers resounded under his window. His heart was full of sadness. Once more he was undergoing the painful experience of receiving applause while a rival was awarded the more substantial honor. Nevertheless he concealed his despondency and, in his dressing gown, stepped to the balcony. And then, standing there in all his pride and dignity, he spoke a few simple words, ending: "Gentlemen, I will tell you one thing: you may be assured that there is not one among you who will sleep better to-night than I shall. I shall rise to-morrow morning with the lark; and though he is a better songster than I am, yet I shall greet the purple east as jocund, as gratified, and as satisfied, as he."

It was not true, of course. Webster had longed passionately for the Presidency. He wanted it not only because of the glory of the office, but because of the vindication which an election to it would give him. He felt that he had earned it by his services to his country. A few days later, William Bates, of Westfield, happening to be in the same seat with Webster on a railroad train, asked his companion whether, after all, the Presidency could have been of any value to him. "To be frank with you, Mr. Bates," answered Webster, "the same question has occurred to me. And perhaps it is as you say; perhaps I am just as well without that office. But, sir, it is a great office; why, Mr. Bates, it is the greatest office in the world; and I am but a man, sir, I want it, I want it."[1] Here, in an unguarded moment, the real Webster spoke. In public, however, he bore his disappointment bravely. Even if he had been nominated, he would have been dead before Election Day.

To understand Webster's emotions on that spring evening, we must return to a period in the autumn of 1850. At the close of the long battle over the Compromise, he was exhausted, and his chronic catarrh was very troublesome. After a few days at Marshfield, he set out for The Elms, reaching his farm in what seemed to him the incredibly fast time of two hours and three-quarters from Boston. There he remained in seclusion, with his cough spasms rapidly getting better. "I hear no news, I read no newspapers," he wrote to Fletcher; but Isaac Hill and Franklin Pierce called upon him, and he was busy also with the Hülsemann Note. When he returned to Boston on November 4, he could describe himself as "free of disease," and he celebrated his recovery by attending a dinner in Faneuil Hall to the Turkish Commissioner, Amin Bey, and by speaking briefly that evening at a banquet in the Revere House.

During his vacation, he had declined many invitations to address Union meetings, but he had seldom failed to reply with a letter, reiterating his views on the finality of the Compromise. In late November, he was back at his desk in Washington. He did, however, leave his work long enough to go to New York for the Pilgrim Festival on December 22, where Sir Henry Bulwer was one of the guests.

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[1] This story was related by Reverend Henry Norman Hudson, in an address on the centennial of Webster's birth, January 18, 1882.

Webster's address before the New England Society on this occasion was brief but brilliant. In dwelling on the virtues of the Pilgrims, he stressed especially the fact that they combined private judgment on matters of religion with obedience to the will of the whole "in all that respects civil polity" — an obvious reference to the Fugitive Slave Law and the open opposition of the abolitionists towards it. Then, repeating a device which he had formerly employed effectively in his Discourse on Adams and Jefferson, he imagined the appearance of Elder William Brewster and the words which he might say to a nineteenth-century gathering of Pilgrim descendants. As he closed, he referred more specifically to the Compromise, saying that the country had been "called back to conscience and to duty." "There is no longer," he said, "imminent danger of dissolution in these United States"; and he added, "Americans, North and South, will be hereafter more and more united."[1]

Unfortunately this was rather a hope than an accurate prophecy. The seeds of a new dissension had already been sown in the new Fugitive Slave Law. Although President Fillmore, in his December Message, had urged all loyal Americans to abide by the provisions of the Compromise, there were many high-minded citizens who could not endure this Act and were prepared to resist its operation. At a meeting in Faneuil Hall, with Charles Francis Adams as chairman, a resolution was passed declaring that, "law or no law, we will not *allow* a fugitive slave to be taken from the state of Massachusetts." Respectable Bostonians, including the patriarchal Josiah Quincy, Samuel Eliot Sewall, and Richard Henry Dana, Jr., joined in what actually was a threat of nullification.

Crucial cases were certain to arise to test the strength of this sentiment. On February 15, 1851, an alleged negro fugitive named Shadrach, a waiter in a restaurant, was arrested on a warrant sought by his former owner. The United States Commissioner, George Ticknor Curtis, — afterwards Webster's biographer, — finding that the defendant had no counsel, adjourned the proceedings; and the prisoner was incarcerated in the Court House.[1] In the evening a mob of colored men, apparently backed by a vigilance committee of influential citizens, broke into the building and set Shadrach at liberty. He was thus, according to Theodore Parker, "delivered out of his burning, fiery furnace without the smell of fire on his garments."[2]

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[1] National Edition, IV, 217 ff.

What was Webster's duty? He knew that the Fugitive Slave Bill had objectionable features, but it was a law, and, as such, should be respected. On its acceptance at that moment hinged the stability of the Union. He certainly was no man to condone nullification. Furthermore, he was an official of the United States, sworn to defend its statutes and to see that they were obeyed. In a letter to the Union Safety Committee of New York, Webster declared that the rescue of Shadrach was, "strictly speaking, a case of treason."

Fillmore at once issued a proclamation calling upon civil and military officials to aid in the apprehension of the offenders. Five of the mob leaders were duly seized and tried, but the jury could not agree, and they were dismissed.[3] In the opinion of more conservative Bostonians, however, "even an unjust law was better executed than resisted."[4] The Board of Aldermen instructed the Mayor and the City Marshal to guard against such a breach of the peace in the future.

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[1] Under the provisions of the Massachusetts Act of 1843, against which Webster had protested, no fugitive slave could be consigned to the jails of the Commonwealth. Shadrach was, therefore, placed in charge of the Deputy United States Marshal, the Marshal himself being absent from the city.

[2] Chadwick, in his *Theodore Parker*, says that Shadrach was "hustled out of the room by the impetuous rush of a jubilant and joking crowd, headed by a colored man who had not set out to do anything in particular" (pp. 251–52).

[3] Among the counsel for the mob leaders were John P. Hale and Richard Henry Dana, Jr. Webster himself assumed the direction of the prosecution. See Pierce, III, 193, and National Edition, XVI, 603–606.

[4] Rhodes, I, 211. Wendell Phillips wrote, March 9, 1851, "Webster, too . . . the infamous New Hampshire renegade, threatens to line our streets with soldiers." (Garrison, *Garrison*, III, 324.)

The case of Thomas Sims had a different outcome. On April 5, Commissioner Curtis, at the request of Sims's former owner, issued a warrant for that negro's arrest, and he was captured and shut up, under an order from Mayor Bigelow, in the Court House, which was then surrounded with chains. Although the prisoner had excellent counsel in Sewall, Rantoul, Charles G. Loring, and Dana, the case, under the statute, was clear. Commissioner Curtis could do nothing but give a certificate of rendition, and Sims, under the escort of three hundred armed policemen, was placed on board the brig *Acorn* and carried back to Savannah. Boston was full of excitement; Wendell Phillips addressed a great throng on the Common; Theodore Parker harangued a vast audience in Tremont Temple. But the Board of Aldermen refused to grant the abolitionists the use of Faneuil Hall. Webster wrote to Fillmore, "Nothing ever exceeded the malignity with which abolitionists and free-soilers persecute all those who endeavor to see the laws executed."[1]

The course which politics had taken in Massachusetts was profoundly displeasing to Webster. In the preceding autumn, as a result of an unnatural coalition between Democrats and Free Soilers, the Whigs had been placed in a minority in both branches of the Legislature, and, by arrangement, that body chose George S. Boutwell, a Democrat, as Governor.[2] Responsibility for this defeat is hard to place, but there was much dissension in the Whig ranks, evidenced by the disagreement between the *Atlas* and the *Advertiser* over the Fugitive Slave Law. The bargain between Democrats and Free Soilers was completed by the election, after a long and stubborn battle, of Charles Sumner as United States Senator.[3]

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[1] Webster to Fillmore, April 13, 1851 (National Edition, XVI, 606).

[2] The division in the Senate showed 21 Free Soilers and Democrats against 11 Whigs, and, in the House, 113 Free Soilers and 107 Democrats to 176 Whigs. See Pierce, III, 230.

[3] Robert Rantoul, Jr., had already been elected to succeed Webster in the Senate and had taken his seat on February 22, 1851. Sumner was elected in Rantoul's place

On March 25, 1851, Webster had spoken at a dinner given to him in Annapolis by the Reform Convention of Maryland. On April 1, he was in Harrisburg, Pennsylvania, where, although he was decidedly unwell,[1] he summoned up strength to address the members of the Legislature. From there he went to Philadelphia, "in a rainstorm and over the roughest railroad, I suppose, in the United States." In New York, on April 6, he wrote, "My late attack was severe, and has a good deal reduced me."[2] Frequently afterwards he referred with a kind of horror to his "Harrisburg diarrhea."

On April 8, Mr. and Mrs. Webster, seeking a short vacation at Marshfield, passed through Boston, having previously warned Peter Harvey that they did not wish a public welcome.[3] His friends, however, desired to tender him a reception in Faneuil Hall, and, having secured his consent, arranged the meeting for Thursday, April 17, and persuaded Rufus Choate to deliver an address. Meanwhile, in observance of the customary formality, a petition, signed by one hundred taxpayers, had been prepared for the Board of Aldermen, asking their permission for the use of the hall. The Board then unexpectedly declined the request, on the ground that they had recently refused a similar supplication from a group of abolitionists. When the news was spread abroad on Tuesday morning, State Street was ablaze with indignation. Fletcher Webster went down to Marshfield early that afternoon, bearing with him one of Choate's illegible missives, and Peter Harvey followed on a later train to make further explantions. On receipt of the information from Fletcher, Webster had hastily scribbled a curt reply to the Committee; but Harvey, who was something of a political strategist, urged him to tear it up and write in a different tone. He and Harvey chatted together during the

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for the full term of six years, beginning March 4, 1851. He was actually chosen on April 24. For a description of the fight in the Legislature, see Fuess, *Caleb Cushing*, II, 102–5.

[1] Webster wrote Fillmore, April 4, 1851, "The weather was wet, and, being under the influence of some diarrhea, the dampness of the weather & the limestone water made me a good deal sick." (National Edition, XVI, 602.)

[2] Webster to Fillmore, April 6, 1851 (*Ibid.*, p. 604).

[3] Webster to Harvey, April 7, 1851 (*Ibid.*, XVIII, 427).

evening, and Webster lighted his guest to his chamber. Early on the following morning, Harvey, hearing a tap at his door, called, "Come in." There was Webster, in his hand a large foolscap sheet on which the ink was scarcely dry. "This is the creature," he said. "Sleep a little longer and, after you have got up, read it." It was this letter, a very dignified communication, which Webster ultimately sent.[1] Harvey, acting under Webster's instructions, carried it back to Boston and showed it to Rufus Choate, asking him to amend it in any way he saw fit. "*I* amend a letter of Mr. Webster!" cried Choate, in his impetuous manner. "I should as soon think of amending the Acts of the Apostles! The letter is perfect. Nobody else could write such a letter."

A terrific wind and rain storm which immediately followed seemed to indicate that nature was emulating the tempest going on over the refusal to let Webster speak in Faneuil Hall. The railroad between the Cape and Boston was washed away in many places, and the tides overflowed the dykes and sea walls, leaving water three or four feet deep in the Marshfield garden.[2] On the seventeenth, the Common Council, realizing their *faux pas*, sent him a unanimous invitation to meet with them in Faneuil Hall, but he politely declined, declaring that he should not enter that auditorium until its gates were thrown "wide open . . . to let in freely and to overflowing, you and your fellow citizens, and all men, of all parties, who are true to the Union as well as to Liberty."[3] When Webster arrived in Boston from Marshfield a few days later, he was hailed by an immense throng, which he addressed from an extemporized platform in Bowdoin Square, in a very temperate manner, and in a spirit of confident optimism.[4]

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[1] For the text of this letter, see National Edition, XVIII, 429. For the detailed story of Harvey's visit to Webster, see Harvey, p. 181 ff. Harvey, in his narrative, confuses this letter of April 15 with a later one, dated April 19, addressed to Francis Brinley, President of the Common Council of Boston (National Edition, XVI, 609–10).

[2] Webster to Fillmore, April 18, 1851 (*Ibid.*, p. 608).

[3] National Edition, XVI, 609–10. Webster ended, "If Providence shall be pleased to spare my life and health till that hour comes, I shall meet the citizens of Boston, and my voice shall be heard once more in the Cradle of American Liberty."

[4] *Ibid.*, XIII, 405 ff.

While he was dining in Summer Street with James W. Paige, a committee was announced representing both branches of the City Government — the Aldermen and the Common Council. Webster haughtily refused to see them, but sent word that he would receive them on the following noon, at the Revere House.

When that hour came, Webster was dressed in his most elaborate costume, — blue coat, buff waistcoat, white cravat, and silk stockings, — as if it were a state occasion. Accompanied by Peter Harvey, he descended to the hotel drawing-room, where the spokesman of the Committee — a member of the Board of Aldermen — came forward. Webster, in a forbidding manner, repulsed him with a formal bow; and then the victim of the great man's displeasure read resolutions requesting him to meet his fellow citizens in Faneuil Hall. When he had concluded, Webster said coldly, "I thank you for the resolutions." The Chairman then handed him the document, and Webster responded, "I will answer the committee in writing; good morning, gentlemen." When he drafted his reply, it was a frigid declination. "If I could word it in any colder or briefer way than that," he said to Harvey, "I would."[1] His offended dignity required further propitiation.

The Erie Railroad, linking New York City with the Great Lakes, was to be formally opened in May, and Webster had agreed to join the presidential party, although he saw in the journey four elements of distress: "1. Heat. 2. Crowds. 3. Limestone water. 4. The necessity of speech-making."[2] It was indeed a trying ordeal for a man almost seventy to face. But Webster, with the Presidency in mind, realized the importance of the public appearances which he would be called upon to make. Although he declared that his brain was as "dry as a remainder biscuit, after a voyage," the addresses which he made along the route were among the ablest of his career. Commenting to Harvey on Webster's achievement, Edward Everett said: "He made eleven speeches, distinguishing between speeches and mere snatches of remarks at stations.

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[1] Harvey, p. 193.

[2] Webster to Blatchford, May 11, 1851 (National Edition, XVIII, 443).

. . . He could not have known, when he went out of the cars to the platform, what he was going to say, and yet every one of them was singularly adapted to the place and occasion."[1]

From Dunkirk, the presidential entourage returned to Washington, but Webster, with Fletcher as his companion, went to Buffalo, and from there back to Boston by way of Rochester, Syracuse, and Albany. At Buffalo, he spoke twice. At a public dinner, he confined himself chiefly to such safe topics as the growth of the city and the importance of internal improvements, and offered a toast to New York, "Not the envy, but the admiration, of her sister States." On the next morning, although it was raining hard, a vast audience assembled in the park and insisted clamorously that the programme should not be abandoned. Webster, yielding to their desires, spoke at length on the Compromise of 1850. Never had his mental vigor been more apparent or his courage more conspicuous.

There has been a natural tendency to judge Webster's capability as an orator by his "show pieces," such as the Plymouth Address or the Reply to Hayne, for which preparation was carefully made. His supremacy is equally apparent, however, in such a speech as that at Buffalo, delivered without notes, after several days of travel during which he had been allowed almost no privacy. He was in his seventieth year; yet he spoke from an outdoor pavilion, without any shelter from the storm, to an audience drenched with rain, holding their attention for nearly two hours on a subject almost exclusively political.[2] His remarks were argumentative, adorned but little by rhetoric or imagery. He did not overemphasize or exaggerate. His reasoning was temperate, yet clear and cogent, with no trace of gasconade. A plain, blunt man, he pleaded, in oratory which resembled conversation, for the basic principles of compromise. He assumed certain premises: that laws must be obeyed; that all parts of the Union must be considered; that conciliation of the

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[1] Harvey, p. 157.

[2] Reception at Buffalo, May 22, 1851 (National Edition, IV, 242 ff.).

South was desirable. If these are accepted, then his logic is well-nigh irrefutable. But whether his conclusions are approved or not, his sincerity cannot be denied. This speech, and the ones which followed it at Syracuse and Albany, are the utterances of a man convinced of the soundness of his position and actuated by motives of justice and patriotism.

Although Webster's health was much improved, he did not like crowds — and crowds were everywhere, paying tribute to his name and fame. At Canandaigua, he was the guest of Francis Grainger; at Auburn, the home of William H. Seward, he stopped to make a few remarks to an insistent throng; and he paused at Syracuse — "that laboratory of abolitionism, libel, and treason"[1] — long enough for two speeches. Only a few days before, Garrison had presided in that city over the annual meeting of the Antislavery Party, at which the members resolved "that, as for the Fugitive Slave Law, we execrate it, we spit upon it, we trample it under our feet." Following close on the heels of his opponents, Webster declared that, in his opinion, Abolition Societies had "done nothing but mischief; they have riveted the chains of every slave in the Southern States; they have made their masters jealous and fearful, and postponed far and far the period of their redemption."[2] Garrison's *Liberator* vindictively pictured him as he appeared at Syracuse — "an ordinary looking, poor, decrepit old man, whose limbs could scarce support him; whose sluggish legs were somewhat concealed by an overhanging abdomen; with head downcast and arms dangling almost helpless by his side, and incapable of being magnetized for the use of the orator."[3] Webster's references to abolitionists were made more bitter by the savagery of their attacks on him. He asserted that those who assembled to prevent the operation of the Fugitive Slave Law were guilty of treason, and he announced, with flashing eyes, "Depend upon it, the law will be executed in its spirit, and to its letter."

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[1] Webster to Blatchford, May 25, 1851 (National Edition, XVI, 614).
[2] *Ibid.*, XIII, 412.
[3] Garrison, III, 330.

The senile weakling described by Garrison had a rather strenuous day in Albany. Rising at three o'clock on May 28, he worked for two hours on his speech; he breakfasted at eight with the Governor and paid with him a visit to the public institutions of the city; at eleven he received a deputation of ladies; at two o'clock, he spoke before several thousand citizens from an open-air platform;[1] he later attended a banquet given by the young men of Albany and addressed them eloquently; he was then escorted by a torchlight procession to the Hudson River steamboat for New York, and, at ten o'clock, retired to his stateroom. He had been constantly with people for seventeen hours; yet Hiram Ketchum found him on deck before sunrise the next morning, "as fresh and clear as ever I saw him." He reached New York in excellent humor, considering the ordeal through which he had passed.

Back in Washington on June 1, Webster considered his plans for the future. Writing to Haven, he said that he should do little or no hard work that year in the Department of State, but should look more carefully after his health. If the movement for his nomination should become more active, he might think it wise to resign, especially if Fillmore himself decided to be a candidate.[2] Reading between the lines of this letter, we can see how eagerly Webster hoped for the support of the Whigs. For the next few months, there were few of his waking hours when the mirage of the White House did not

Flash before that inward eye
Which is the bliss of solitude.

On June 24, Webster went with his wife on a recuperative trip to Capon Springs, a resort twenty-three miles west of Winchester, in the Shenandoah Valley, where he planned to drink the waters. A large and handsome hotel had been erected there, on the model of those at Saratoga, and Webster hoped for "three or four days of absolute rest and idleness."

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[1] Speech to the Young Men of Albany (National Edition, IV, 267 ff.). In concluding this speech, Webster drew a brilliant picture of a "patriot president," giving his conception of what the ideal Chief Executive ought to be.

[2] Webster to Haven, June 11, 1851 (National Edition, XVI, 617–18).

He could not, however, escape the inevitable public dinner, to which people came from the country round, one Revolutionary veteran walking fifteen miles in the burning sun to hear him. In the course of the evening, Webster spoke twice.[1] In his first, and formal, address, he advanced the usual arguments regarding the Compromise, pleading for the Union, and ridiculing the doctrine of a "higher law." "The whole matter," he said, "it is to be hoped, will blow over, and men will return to a sounder method of thinking." At a later hour, when the bottle had been passed freely, Webster let himself speak without reserve and declared that, if the North refused to carry out the Fugitive Slave Law, and Congress did not apply a remedy, the South would "no longer be bound to observe the compact." He was not prepared, however, to justify withdrawal from the Union, and he wrote to a gentleman of North Carolina, "I confess I can form no idea of secession but as the result of a revolutionary movement."

Much as he would have liked to be in Marshfield, Webster lingered in Washington, having agreed to speak on Independence Day, at the dedication of the corner stone of the new addition to the Capitol. It was the last of the occasional addresses which so firmly established his reputation as an orator. About it there was a tone almost jubilant, as he recounted — not disdaining statistics — the amazing development in the United States since the original corner stone of the Capitol had been laid by Washington in 1793. It was, on the whole, an optimistic, almost self-complacent survey of what had been accomplished; but an occasional reference to "fanatics and disunionists" indicated that he had not forgotten the storm through which he and the country had passed. "The ill-omened sounds of fanaticism will be hushed," he predicted; "the ghastly spectres of *Secession* and *Disunion* will disappear, and the enemies of united constitutional liberty, if their hatred cannot be appeased, may prepare to have their eyeballs seared as they behold the steady flight of the American eagle, on his burnished wings, for years and years to come."[1]

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[1] These two speeches, as they appeared in pamphlet form, are printed in the National Edition, XIII, 429 ff. At this period, Webster was even more careful than usual to see that his utterances received a wide circulation.

The event itself was not without interest. The ceremonies were in charge of the Freemasons, and, in the audience, were three men who had been present fifty-eight years before. Poore said that Webster was evidently somewhat feeble, and "was forced to take sips of strong brandy and water to sustain him as he proceeded."[2]

A few days later, Webster was again at his beloved Marshfield, full of resolutions "to keep out of crowds" and to remain secluded during the summer. He was undoubtedly beginning to be troubled by the symptoms of the disease of which he eventually died. For his chronic diarrhea, physicians had prescribed sulphate of morphia and compound spirits of sulphuric ether, and he had become too much addicted to these and other drugs.[3] For many years the month of August had brought with it an attack of catarrh, and he had consulted eminent specialists as to the proper regimen to follow. Early in that month, he went to The Elms, where he took plenty of exercise in the open air until he was kept at home by twinges of the gout. Through the use of medicine, he fought off the catarrh, but he lost flesh, and those nearest to him could tell that he was worried about his condition. On September 8, he left The Elms for Boston, but the train was accidentally thrown from the track, and every car was broken up except the one in which he and Lanman were seated.[4] On the next day, he consulted Dr. John Jeffries, of Boston, who persuaded him to abandon the drugs which he had been taking and to rely on recreation and fresh air for his recovery.[5]

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[1] National Edition, IV, 317–18.

[2] Poore, I, 386.

[3] Webster wrote Blatchford, August 26, "My system is so full of iron, potash, and arsenic, that my stomach has become deranged." (National Edition, XVIII, 466.)

[4] Lanman, *The Private Life of Daniel Webster*, p. 133. Webster's car was driven up the side of a bank, at an angle of forty-five degrees. He remained perfectly cool, and, when urged to leave his seat, replied, "Can you inform me to what part of the world we are travelling? I have paid my fare to Boston, and I will thank the locomotive to proceed to its original destination."

[5] Jeffries later wrote: "At this time he was sallow, and he had lost considerable weight; his eyes were red, and his countenance indicative of great uneasiness; his

At the great Railroad Jubilee in Boston, on September 17, Webster was present, with President Fillmore and other distinguished persons, and was able to make a short speech, which dispelled the rumors that he was critically ill.[1] On October 9, he made a journey to Manchester, New Hampshire, where he spoke at the State Agricultural Fair. It was significant that he referred to the fact that he was not immortal. "Gentlemen, human life passes away rapidly," he said. "I may not have another occasion like this to meet so vast an assemblage."[2] Yet he was induced to make another address during the day, and, in the evening, when a torchlight procession halted to greet him, he said a few words to the paraders. With his thoughts on death, he spent some time preparing inscriptions for the gravestones of his children. But he was back in Washington at the end of October, and his friends were delighted to observe how active he appeared to be.

In late November, the movement for nominating Webster for the Presidency was formally initiated at a meeting in Boston, at which a large number of Whig delegates approved an address to the people of the United States, written by Edward Everett, and summarizing Webster's political career. The gathering occupied an entire day, and delegates were present from all over the state. Everett himself was unable, because of an indisposition, to be present, but his ringing address was read to the delegates. In the afternoon, Rufus Choate made one of his most brilliant efforts, crying exultantly, "I am glad to see Faneuil Hall opened at length, — aye! opened on golden hinges!" After an impassioned appeal in Webster's behalf, he suddenly stopped and threw himself forward, in the attitude of a sailor heaving a rope on the ship's deck. "Now, boys," he shouted, "don't you think he'd be a good pilot?" The crowd roared their acquiescence. "Then all together now, and heave him on to the quarter deck!" With that,

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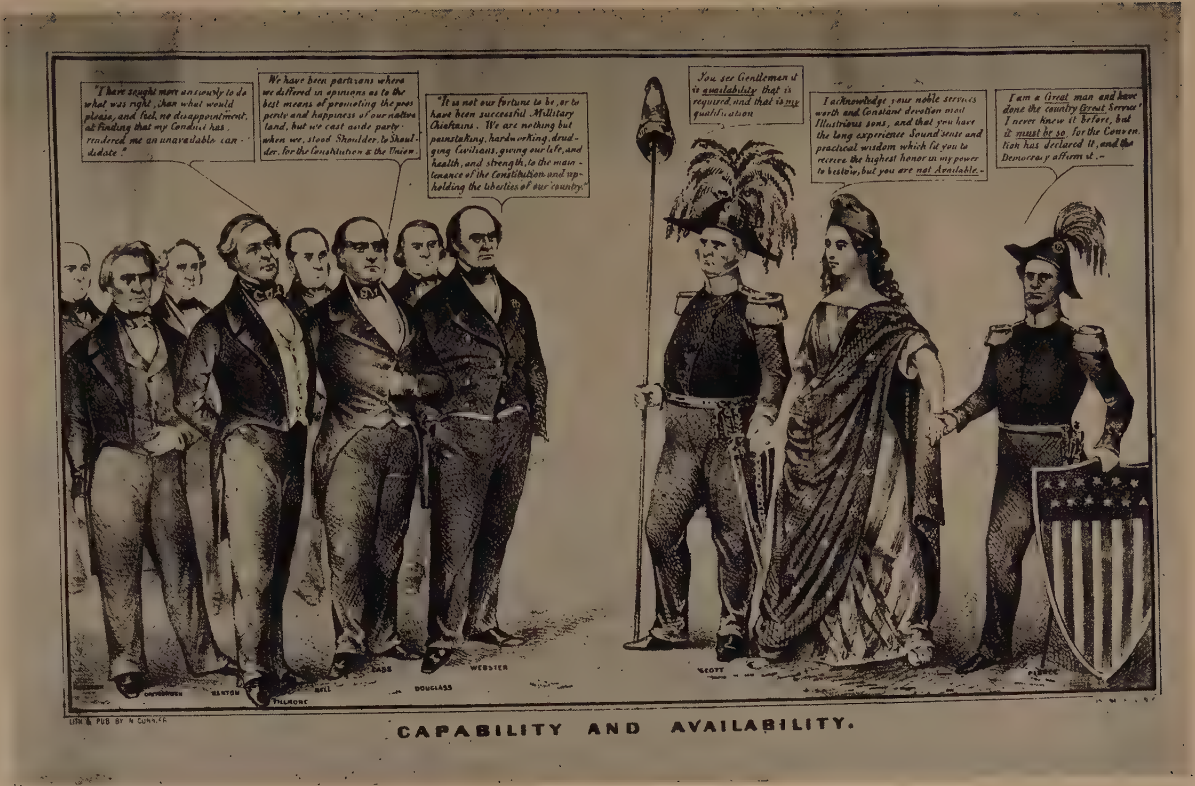
pulse was full, quick, and firm; his nights were distressing and restless; there was constant thirst; the bowels were irritable, and, although without appetite, he was taking food without restraint, and, by advice, using stimulating drinks freely."

[1] National Edition, XIII, 442–44.

[2] *Ibid.*, pp. 445–51.



"I have sought more anxiously to do what was right, than what would please, and feel no disappointment, at finding that my Conduct has, rendered me an unavailable candidate."
We have been partizans where we differed in opinions as to the best means of promoting the prosperity and happiness of our native land, but we cast aside party when we, stood Shoulder, to Shoulder, for the Constitution & the Union.
"It is not our fortune to be, or to have been successful Millitary Chieftains. We are nothing but painstaking, hardworking, drudging Civilians, giving our life, and health, and strength, to the maintenance of the Constitution and upholding the liberties of our country."
You see Gentlemen it is availability that is required, and that is my qualification
I acknowledge your noble services worth and Constant devotion most Illustrious sons, and that you have the long experience Sound sense and practical wisdom which fit you to receive the highest honor in my power to bestow, but you are not Available.—
I am a Great man and have done the country Great Service' I never knew it before, but it must be so, for the Convention has declared it, and the Democracy affirm it.—
CRITTENDEN
BENTON
FILLMORE
BELL
CASS
DOUGLASS
WEBSTER
SCOTT
PIERCE
LITH & PUB BY N CURRIER
CAPABILITY AND AVAILABILITY.

A Presidential Cartoon at the Time of the Whig Convention in 1852

Choate sat down, amid applause which shook the building. There were other speakers, — Samuel H. Walley, of Roxbury, and W. G. Bates, of Westfield, — but no one so eloquent as Choate. Before the proceedings closed, Everett's address was adopted by "a single deafening affirmative shout," and the Webster campaign was on.

Webster himself kept in close touch with what was being done in his behalf. He had read Everett's address in advance of the meeting and had offered one or two suggestions for its improvement.[1] When it appeared in the newspapers, he wrote to his supporters, thanking them for their efforts and saying, "Enemies, factionists, and fanatics may now do their worst."[2] Undoubtedly the Webster meeting had been arranged with a view to its influence on Congress, which assembled on Monday, December 1. The President's Message, dealing almost entirely with foreign affairs, was largely composed by Webster. As a matter of fact, Webster's chances for the nomination seemed, in the late autumn of 1851, to be excellent. It was currently reported that Fillmore would not be a candidate; and Webster himself sent a cryptic but decipherable message to Haven indicating that the President would stand aside.[3] On December 4, he wrote: "This is the time for doing whatever is to be done. The question is narrowed to a single point. All will come right, if Massachusetts stands firm & inflexible."[4]

Now before the country as an avowed contestant for the Whig nomination, Webster again considered the advisability of resigning from the cabinet, but Fillmore wished him to stay, and his friends urged him not to abandon his post. The visit of Kossuth, to say nothing of the *Prometheus* affair and the Cuban filibustering expeditions, were disturbing the administration, which badly needed the benefit of his experience.

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[1] Webster to Haven, November 21, 1851 (National Edition, XVI, 629).

[2] Webster to Harvey, November 27, 1851 (*Ibid.*, XVIII, 491).

[3] "Mr. Ashmun leaves for home this afternoon. *He has seen many persons,* & *conversed with them, from the lowest to the Highest;* & *he thinks the coast will be clear,* & *known to be clear, in due time.*" (*Ibid.*, XVI, 630.)

[4] Webster to Haven (*Ibid.*, p. 631).

After some self-questioning, he took the advice of his counselors and remained in the Department of State.

Forgetting politics for a few hours, Webster went to New York in February 1852, to deliver an address before the New York Historical Society.[1] He chose for his subject "The Dignity and Importance of History," and prepared a long and learned paper, filled with quotations from classical writers in Greek, Latin, and English.[2] From a literary point of view, it was a production of which Lowell or Everett might have been proud, and it showed that his physical disabilities had not caused any decline in mental power or scholarly industry. Only in a few paragraphs towards the close did he refer to contemporary problems, and then but to say that, for the moment, all other questions should be subordinated to the task of the preservation of the Union.

While he was in New York, however, he could not escape the importunities of his friends. He spoke in the City Hall, before the Mayor and the Common Council. He presided at services in Metropolitan Hall for the purpose of raising contributions for a statue of James Fenimore Cooper, and paid a graceful tribute to the author of the Leatherstocking Tales. At the house of Anson G. Phelps he said a few sentences to promote a project for the further colonization of Liberia and advocated the support of the enterprise by "the fostering care of government." He spoke on all these occasions with his customary ease and tact — a little slowly and ponderously, but with a choice of the wise and fitting word. He was assured by his followers that everything was going well with his campaign.

He himself, however, was not obtuse and he knew that he was to have rivals. Fillmore, at first reluctant to let his name be used, had been persuaded by the arguments of Southern

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[1] Address before the New York Historical Society, February 23, 1852 (National Edition, XIII, 463 ff.).

[2] Webster said to Lanman: "I am going to be excessively learned and classical, and shall talk much about the older citizens of Greece. When I make my appearance in Broadway to-morrow, people will accost me thus, 'Good-morning, Mr. Webster. Recently from Greece, I understand; how did you leave *Mr. Pericles* and *Mr. Aristophanes?*'" (Lanman, p. 98.)

Whigs, who were resolved to uphold no candidate who did not stand unequivocally for the Compromise and who regarded Webster as a leader who could not be elected. There was also danger from another quarter. Twice successful with a military nominee, the distressed Whigs were disposed to turn again to a general, and soon the party strategists were whispering the praises of Winfield S. Scott. His views on the Compromise were not known, and he had had nothing to do with its passage. In every respect he seemed "available," and the movement in his favor gained strength in the spring of 1852. Recognizing the peril, Webster complained that nothing was being done.[1] "I have had eno' of cheer'g prospects and sicken'g results," he wrote to Fletcher. The very thought of another soldier candidate made him shudder.

On March 26, while he was engaged in court business at Trenton, a reception was tendered to him by the New Jersey Legislature, and he addressed the members briefly. Meanwhile, he kept busy with an extensive correspondence. Replying to the Clay Festival Association, who wished to commemorate the birthday of his great rival, Webster paid Clay a tribute as a man "quite free from the influence of local prejudices, opinions, or feelings."[2] In a letter to Tavenner, he reiterated his fixed determination to uphold the Compromise measures "steadily and firmly." His language was stronger than ever: —

> I am of opinion that these measures, one and all, were necessary and expedient, and ought to be adhered to by all friends of the Constitution and all lovers of their country. That one among them which appears to have given the greatest dissatisfaction (I mean the fugitive slave law) I hold to be a law entirely constitutional, highly proper, and absolutely essential to the peace of the country.[3]

Returning to Marshfield in the first week of May, Webster suffered an accident which greatly hampered his activities and probably shortened his life. On Saturday, May 9, he had set out with Lanman on a trip to Plymouth, in an old-fashioned phaëton, open in front, and drawn by two horses. As they were ascending a hill at Kingston, the "king-bolt," connecting the front wheels with the hind wheels, broke, and the body of the carriage fell to the ground. Webster's feet were encumbered in a fur robe which had been thrown over the dasher, and he was hurled out, with much violence. As he fell, he brought his arms forward to protect his face, and the whole weight of his body was cast upon his hands and wrists. His head hit the earth, apparently without serious injury, for there were few visible cuts or contusions. He was at once assisted into a neighboring house and was quite faint, although never insensible. After he had recovered himself, he was driven home, where he remained in bed for ten days, with a badly swollen arm. On May 18, he went to Boston by train, but the jarring of the cars was exceedingly painful, and he consulted his physicians, — Doctors Warren and Jeffries, — who advised him to leave off all liniments and be content with a simple sling. He wrote on May 19, "I can walk with ease and strength, but I cannot put on or take off my hat, nor without difficulty raise a cup of tea to my mouth."[1] The truth is that he was more deeply hurt than he had thought. Indeed, he never fully recovered from his internal injuries and the shock to his nervous system.

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[1] Webster to Fletcher, May, 1852 (National Edition, XVI, 643).

[2] *Ibid.*, p. 652.

[3] *Ibid.*, p. 653. Webster added, "I look upon the Compromise Measures as a proper, fair and final adjustment of the questions to which they relate."

He mustered up energy sufficient to enable him to appear at Faneuil Hall, on May 22, at a gathering called by Mayor Benjamin Seaver and the Common Council of Boston, by way of reparation for the fiasco of the preceding year.[2] As he stepped upon the stage, where, since his first speech there in 1819, he had so often appealed to his countrymen, everybody stood up, and the applause was deafening. He had no new opinions to express. "I propose to you, and to my fellow citizens throughout the country," he said, "no platform but the platform of my life and character."[1] There was no need for him to elaborate this statement. After all, his audience knew his principles and policies. They cared for nothing except that he was Daniel Webster, the Expounder and Defender of the Constitution. Obviously rather weak, he spoke in tremulous tones of the significance of the "Cradle of Liberty" in which he was talking, of the blessings which America enjoyed, of the prosperity of Boston, of the delegates of the Methodist Church among his hearers. His closing words, the last he ever delivered in that auditorium, were: —

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[1] Webster's own detailed account of the accident is to be found in his letters to President Fillmore on May 9, May 12, and May 19, printed in National Edition, XVIII, 528 ff. See also Lanman, pp. 173–74.

[2] See his letter to Benjamin Seaver and others (National Edition, XVI, 646).

> We must commit ourselves and our country to the hands of Providence. We may indulge hopes, high and exalted hopes, humbly and meekly before God, but confidently and fearlessly before men: that the prosperity and happiness which we of this generation enjoy will descend to our latest posterity with ten thousand times the brilliancy of yonder setting sun!

With much interest, Webster followed the proceedings of the Democratic Convention, which opened at Baltimore on June 1, with a superfluity of candidates, including Cass, Marcy, Buchanan, and Douglas. After a variety of subterranean intrigues, Webster's friend, Franklin Pierce, of New Hampshire, was nominated on a platform pledging a faithful execution of all the Compromise measures. The Democrats then left Baltimore, and the Whigs moved in, opening their convention on June 16, in the same hall which had been used by their opponents.

The omens were not propitious for Webster. Correspondents of Boston newspapers announced fitfully that his stock was rising, but Fillmore's decision to enter the contest drew many votes away from Webster, and the President was undoubtedly making the most of the federal patronage to gain delegates. The peculiar situation undoubtedly promoted conspiracies, and the supporters of the three candidates — Webster, Fillmore, and Scott — held many secret conclaves in hotel rooms, where whiskey flowed freely and plots were formed and abandoned. Fillmore's backing came almost exclusively from the South; Scott held the Middle West and the North; and Webster controlled New England, except for the Maine delegation[1] and Dawes and Lee from Massachusetts. Webster started behind his competitors, but, if Fillmore should withdraw, many of his votes would naturally go to Webster rather than to Scott.

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[1] National Edition, XIII, 510 ff. Webster was introduced by Mayor Seaver.

Although the Convention opened on a Wednesday, the platform was not reported by the Committee on Resolutions until Friday. It declared unequivocally that the Compromise bills, including the Fugitive Slave Law, were "received and acquiesced in by the Whig Party of the United States as a settlement in principle and substance of the dangerous and exciting questions which they embrace." Among the delegates was Rufus Choate, who, with the exception of Webster, was probably the most brilliant orator then living. On a hot, sultry afternoon, when everybody in the hall was sweltering and uncomfortable, he rose, looking, with his sombre complexion, piercing eyes, and shaggy hair, like some oriental wizard, and pleaded for the resolutions. With mellifluous voice and dramatic gestures, he argued for the finality of the Compromise measures, asserting that "the noblest politics are but a compromise." When, towards his conclusion, he quoted Webster's "Sink or swim, live or die, survive or perish, I am for it," the exhausted delegates leaped to their feet in delight. Choate's appeal was indeed a dazzling exhibition of the histrionic art.

One of Scott's adherents complained that Choate, while ostensibly dealing with the subject of the platform, had unfairly attempted to arouse enthusiasm for his candidate. This gave the orator an opportunity which he could not neglect. Astute as well as eloquent, Choate rose and said: —

> I am suspected of having risen to pay a personal compliment to that great name with which I confess my heart is full to bursting,

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[1] From the beginning to the end of the balloting, the delegates from Maine, still remembering Webster's alleged betrayal of that state at the time of the Ashburton Treaty, voted for Scott.

because I stand here, according to my measure, to praise and defend the great system of policy which the unanimous judgment of this Convention has approved, or is about to approve and promulgate. Ah, sir, what a reputation that must be, — what a patriotism that must be, — what a long and brilliant series of public services that must be, — when you cannot mention a measure of public utility like this but every eye spontaneously turns to, and every voice spontaneously utters, that great name of Daniel Webster!

A mere casual mention of Daniel Webster was, in those days, sufficient to stir a crowd. As Choate reached his impassioned climax, roars of approval echoed from all parts of the hall, bouquets of roses were thrown upon the platform, and there was pandemonium among the hitherto lethargic delegates. It was the great moment of the Convention, and, if the choice could have been made then and there, Webster would have been the Whig standard-bearer. Choate had achieved his finest personal triumph, and the resolutions which he advocated were adopted by a vote of 227 to 66, the opposition coming entirely from supporters of Scott. But the enthusiasm engendered by Choate's burning words was cooled by the political strategists, who were unaffected by cheers from tired throats.

On the first ballot, Webster received 29 votes — 11 from Massachusetts, 4 from New Hampshire, 3 from Vermont, 3 from Connecticut, 3 from Wisconsin, 2 each from New York and Rhode Island, and 1 from California. Not a delegate from the South was for him, and he could count on only six votes from outside of New England. Fillmore led Scott, 133 to 131; and, in forty-nine successive trials, there was virtually no change, Webster's highest number being 32, his lowest 28. Fillmore and Webster together had obviously a clear majority over Scott, assuming that the followers of one could, in an emergency, be turned to the other. Indeed, Fillmore had prepared a letter of withdrawal, dated June 16, to be read by a Buffalo delegate whenever it seemed wise to do so. But, when negotiations were opened, it was discovered that, out of Fillmore's total strength of approximately 130, only 106 could be relied upon as safe for Webster if Fillmore were out of the race.

As the managers went into conference at this critical moment, it seems to have been agreed by Toombs and Stephens, both of whom were admirers of Webster, that, if the latter could secure positive pledges of forty-one votes from the North, the Fillmore men would declare for him, thus giving him the number necessary for nomination. The plan was well conceived, and Webster's agents set out to accomplish their task. Soon, however, obstacles appeared. The implacable Seward, controlling the New York delegation, could not be moved. The Maine representatives, in spite of argument, stood by Scott.[1] In desperation, the Massachusetts group tendered a dinner to delegates from the Southwest, hoping that something could be done there for Webster's cause; and Rufus Choate, suffering from one of his devastating headaches, got up from his sick bed to make one last ardent plea for his hero.[2] But, in spite of appeals and promises, the votes could not be secured, and Webster went down to defeat because the North turned against him.

When this news arrived, Webster sent a communication to Baltimore "to have an end put to the pending controversy," and wrote to Fillmore, apparently on July 20, "I think it most probable that you will be nominated before 10 o'clock." But even this project could not be achieved. There had been a secret understanding that, if the platform favoring the Compromise were passed, a sufficient number of Southern delegates would turn to Scott to ensure his success. On the fiftieth ballot, the change came. Scott gradually drew away from Fillmore, and, on the fifty-third trial, on Monday, June 21, received 159 votes, and was declared the nominee. When the telegraphic dispatch was put into his hand, Webster opened it and read, "Scott 159, Fillmore 112, Webster 21." His only comment was, "How will this look in history?"

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[1] Webster was much wounded by the defection of his old friend, Senator George Evans, of Maine, who was made temporary chairman by the Scott delegates and worked for Scott to the end. "I could not have believed," Webster said to Harvey, "that George Evans would have gone against me under those circumstances." (Harvey, pp. 238–39.)

[2] Fuess, *Rufus Choate*, pp. 202–3.

Harvey and Choate, as soon as the proceedings were over, hastened to Washington. Harvey, arriving there first, found Webster alone and disconsolate, too despondent to speak about the result. Choate, reaching the house two hours later, had tea with the family, and said later that it reminded him strongly "of the first meal after the return from the grave, when the full force of the bereavement seems to be recognized."[1] Later, when the parade of Whigs stopped at his house, Webster feigned a cheerfulness which he did not feel, and said to them, "Circumstances or opponents may triumph over my fortunes, but they will not triumph over my temper or my self-respect." But the proud spirit was broken at last.[2] Writing to Blatchford on the next morning, he said: "The result of the Baltimore Convention is certainly bad enough. It shows a great deal of folly and a great deal of infidelity."[3] To Fletcher, he confessed, "I meet, here, so many causes of vexation, and humiliation . . . that I am pretty much decided and determined, to leave the Department early in August, and either go abroad, or go into obscurity."[4] To his loyal friend, Charles A. Stetson, proprietor of the Astor House, he wrote, "I agree with you that it is time to shake hands with some folks and part, and there are others, I am willing to part with without shaking hands."[5] Webster could not drive from his mind the idea that his life was a failure because he had missed the Presidency.

With our knowledge of political tendencies, we can see that, even if Webster had been nominated in 1852 and had lived, he could not have been elected. The Whig Party had been split asunder by the Compromise of 1850, and he was not the man to heal the wound. The Democrats, united in their aims and policies, were certain of victory from the start. Like Polk in 1844, Pierce was entirely consistent, and he did not try, as Scott obviously did, to face in two directions at the same time.

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[1] Harvey, pp. 194–96.

[2] Webster had thought well of his chances. "If I am nominated, of which now there seems little doubt, I shall make a tour of the West," he said to Blatchford. (Parker, *Choate*, p. 259.)

[3] Webster to Blatchford, June 22, 1852 (National Edition, XVI, 657).

[4] Webster to Fletcher, July 4, 1852 (*Ibid.*, p. 658).

[5] Webster to Stetson, July 5, 1852 (*Ibid.*).

A few days after the conventions — both Whig and Democratic — had stamped his famous Compromise with the seal of their approval, Henry Clay, the Great Pacificator, died in his seventy-sixth year at his rooms in the National Hotel, in Washington, attended only by his son and a faithful negro servant.[1] Like Webster and Calhoun, the other members of the Great Triumvirate, he had been disappointed at not attaining the Presidency. In his dying hours, he had urged his friends to support Fillmore, and he was grieved at the nomination of Scott. With a prophetic sense, he could discern the approaching disintegration of the party which he had helped to create. Memories, many of them depressing, came crowding in upon him, and he died like one who has lingered too long upon the field of battle. On July 10, with appropriate ceremonies, he was laid to rest in Lexington, in the soil of Kentucky. Of the Great Triumvirate, only Daniel Webster now remained; and he, as he knew only too well, was not long for this earth.

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[1] Poore, I, 418. Clay's death took place on June 29, while Webster was still in Washington.

XXVIII

THE SUPREME ADVOCATE

> That Mr. Webster was the foremost American lawyer of his time, as well in the capacity to conduct jury trials as to argue questions of law before the full court, will not, I think, be seriously questioned by anybody who has read the reports of his legal arguments or who has studied the history of his encounters before juries with antagonists like Choate and Pinkney.
>
> — George F. Hoar, *Autobiography of Sixty Years*

> Wherever through the world justice is administered among men, Webster has made the name of American lawyer an honored name.
>
> — John H. Clifford, Address on Webster

Throughout the busy years while Daniel Webster was battling with Jackson and Van Buren, with Northern abolitionists and Southern nullifiers, and delivering addresses in numbers almost beyond computation, he was also active in the practice of the law. There was never a period when he did not need money badly, and his legal work offered him a lucrative means of reducing his debts. Whenever Congressional or cabinet duties did not claim him, he was sought out by clients willing to pay him well; consequently he turned, with astounding industry and versatility, from a debate in the Senate to a hearing before the Supreme Court of the United States and from a Faneuil Hall banquet to a suit for the breaking of a will.

Unlike Rufus Choate, who reveled in the mental intoxication of a murder trial, Webster was employed only rarely in homicidal cases. In 1820, after some fifty marauding buccaneers had been convicted of piracy, an appeal was made to the United States Supreme Court, and Webster was designated by the Chief Justice to appear in behalf of the defendants. Although his argument was certainly not perfunctory, the Court confirmed the death sentences already imposed by lower tribunals, and two of the more flagrant offenders were executed in each of five Eastern cities. Critics of Webster have pointed out that he failed completely; but the defense seems to have been hopeless from the beginning, and he was assigned to the unpleasant duty merely that the pirates might have no reason for complaining of injustice.

Webster's one noteworthy criminal trial was that of the Knapp brothers — a case of absorbing and romantic interest which has become part of the tradition of the American Bar. An aged and wealthy merchant of Salem, Captain Joseph White, who occupied an imposing mansion on Essex Street in the very heart of that seaport town, was found dead in his bed on the morning of April 7, 1830, with a fractured skull and thirteen deep stabs in his body.[1] For some weeks the police and a vigilance committee were utterly baffled. A fortuitous succession of circumstances, however, led them to seize a local desperado, Richard Crowninshield, and later to arrest two brothers, John Francis Knapp (known as Frank) and Joseph Jenkins Knapp, both shipmasters, the latter of whom had a wife who was the daughter of Captain White's niece and housekeeper, Mrs. Beckford. Soon afterwards, the terrified Joseph Knapp, under a promise of immunity, made a full confession, admitting that he and his brother had paid Crowninshield a thousand dollars to perpetrate the assassination; that he himself had previously burned what he thought to be Captain White's only will, under the impression that, if the latter died intestate, Mrs. Beckford would inherit the sum of two hundred thousand dollars; and that Frank Knapp, after completing the arrangements and accompanying Crowninshield to the White mansion, had retired to his home while his hireling entered with bludgeon and dirk and struck the fatal blows. Realizing that there was no escape, Crowninshield hanged himself in June with two handkerchiefs to the iron bars of his cell.

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[1] The full story of the crime and the trial may be read in *A Report of the Evidence and Points of Law Arising in the Trial of John Francis Knapp* (Salem, 1830). A more vivid account is that by Edmund Lester Pearson, in his volume, *Murder at Smutty Nose.* The nephew of the victim was Stephen White, a friend of Webster, whose daughter, Caroline White, afterwards married Fletcher Webster. A summary of the proceedings, written by Benjamin Merrill, is printed in National Edition, XI, 41 ff., together with Webster's famous summing up of the prosecution. See also Curtis, I, 376–85, and contemporary newspapers in Salem and Boston.

With the actual murderer out of the way, it was now necessary for the Commonwealth to bring an indictment against Frank Knapp as a principal and against Joseph Knapp as an accessory; for, as the Massachusetts law then stood, no one could be tried as an accessory until someone had been convicted as a principal. In order to hasten matters, an act of the Legislature was passed calling for a special term of the Supreme Court, to convene on July 20, at Salem, and all Essex County was aroused over the approaching event.

The Attorney-General, Perez Morton,[1] was eighty years old, and the Solicitor-General, Daniel Davis, was not far from seventy. As neither was strong enough to endure the burden of a prolonged trial, they asked that Daniel Webster be allowed to aid them in the prosecution, and the Court granted the request, without any objection at the time from the prisoners' counsel.[2]

The attorneys for the defense were three very able men, — Franklin Dexter, William H. Gardiner, and Robert Rantoul, Jr., — the last of whom, just admitted to the Bar, collected and arranged the evidence for his senior associates. At the opening of the court, Chief Justice Isaac Parker ordered that newspapers should not publish the evidence from day to day until after the verdict was announced. The trial had barely begun before the Chief Justice suffered a stroke of apoplexy and died on July 26; and, during the remainder of the session, the presiding justice was Samuel Putnam, a native of Essex County, with a reputation for fair-mindedness. He reiterated Judge Parker's ruling regarding the publication of proceedings and actually stated that any violation of it would be treated as contempt of court.[1]

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[1] By a careless blunder, most of Webster's biographers have confused *Perez* Morton with *Marcus* Morton. The latter was, in 1830, a Judge of the Supreme Court of Massachusetts and sat on the bench during the Knapp trial; he was never Attorney-General of Massachusetts.

[2] The Attorney-General explained to the jury that he had procured the services of Webster because of the latter's "superior physical strength, as well as for his acknowledged supremacy in the powers of the mind." Webster was not legally entitled to a fee for his labors, but was later compensated by Stephen White. (Curtis, I, 383.)

Each morning when the doors were opened, there was a rush for seats, and the floor and gallery of the little courtroom were instantly filled. Those who came were not disappointed. Gardiner, one of the counsel for the defense, rather bitterly described the "crusade" against the prisoner, which had culminated in engaging "the most distinguished orator of our time, the high representative of the rights of Massachusetts in the Senate of the United States, with his green and freshly gained laurels wreathed upon his brow." And indeed Webster was a formidable opponent. The trial opened on Tuesday, August 3, after an adjournment out of respect to the deceased Chief Justice. More than seventy witnesses were called, and Webster showed himself a master of the art of cross-examination. The Salem *Gazette* said of him, "He is the only great man we ever knew that does not at any time fall short of the expectations of the public." After all the evidence was in, Dexter opened for the defense, speaking for three hours on August 10 and for four hours on Wednesday, the eleventh. As soon as Dexter had finished, Webster rose and began for the prosecution, with the words, "I am little accustomed, Gentlemen, to the part which I am now attempting to perform." He spoke for five hours and a half, with an interval for luncheon; and he continued on Thursday for two hours more. It was said that hundreds of people in the street and in the windows of buildings near the Court House could hear his great voice booming and could even catch the purport of his speech.

Webster's task was not an easy one. In order to convict Frank Knapp as a principal, he must prove to the jury that the latter was in the street at the moment of the crime, aiding and abetting Crowninshield. Joseph Knapp, when he learned that his brother was to be prosecuted as a principal, unwisely retracted his confession and refused to testify, thinking that the Commonwealth would be unable to show that Frank was near the spot in collusion with the murderer. The truth was, apparently, that Frank had gone to his home, but later, in his anxiety, had returned, meeting Crowninshield after the crime had been perpetrated. If Joseph had held to this story, it probably would have been impossible, under Massachusetts law, to convict either him or his brother.

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[1] See Charles Warren, Letter to the *Boston Herald*, December 26, 1911. I am greatly indebted to Mr. Warren for interesting and authoritative comments on the Knapp trials.

After a brief introduction, Webster portrayed in a most theatrical manner the details of the "bloody drama," using all his resources as an orator to analyze the emotions of the assassin who stole into the chamber and struck down the innocent old man.[1] In a passage which thrilled every one who heard it, he pictured the remorse of the murderer as his secret preyed upon him, until he could feel it "beating at his heart, rising to his throat, and demanding disclosure."

> He thinks the whole world sees it in his face, reads it in his eyes, and almost hears its workings in the very silence of his thoughts. It has become his master. It betrays his discretion, it breaks down his courage, it conquers his prudence. When suspicions from without begin to embarrass him and the net of circumstances to entangle him, the fatal secret struggles with even greater violence to break forth. It must be confessed, it will be confessed; there is no refuge from confession but suicide, and suicide is confession.

Having set the pulses of every juryman beating faster,[2] Webster went on to show that Frank Knapp's presence in Brown Street, in the rear of the White mansion, could only be construed as making him a partner in the crime. He closed with some solemn moralizing on the importance of a sense of duty, addressed, according to Rufus Choate, to one exceptionally conscientious juror.[1]

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[1] Judge Crosby, of Lowell, one of the most attentive listeners, wrote: "I sat near Webster, in full view of his person, where I could watch every motion, all the rolling and flashing of the eye, and the changing expression of his beautiful yet awful face. I never before, nor have I since, felt human power, — power of mind and circumstance, — equal to it." (Kennedy, *The Real Daniel Webster*, pp. 200–1.)

[2] Henry Cabot Lodge has said, "Mr. Webster's description of the White murder, and of the ghastly haunting sense of guilt which pursued the assassin, has never been surpassed in dramatic force by any speaker, whether in debate or before a jury." (Lodge, *Webster*, p. 199.)

Webster's speech, which has been described by Samuel W. McCall as "the greatest argument ever addressed to a jury," and by Rufus Choate as "a more difficult and higher effort of mind" than the Oration on the Crown,[2] did not bring him success. On Saturday, August 13, the jury reported a disagreement, the foreman declaring that they could not reach unanimity because of doubt as to Knapp's presence in Brown Street. Thus Webster's splendid effort was of no avail.[3]

A new jury was at once impaneled, and a second trial was opened on the following day. Again the witnesses were called and testimony was taken. Webster's summing up, which was delivered on Thursday, August 19, was occupied largely in answering the assertion that the prisoner was the victim of persecution; but he also dwelt on the folly which the defendant had displayed in his conduct, saying: "He only walks safely who walks uprightly. Guilt always stumbles. No road is smooth enough, no turnpike broad enough for the guilty man." Although, as an argument, it was inferior to that which he had made at the first trial, it proved more convincing to the jury, who, on Friday evening, brought in a verdict of "Guilty." On the next morning, Judge Putnam, with tears pouring down his cheeks, pronounced sentence of death. The condemned man, as if indifferent to what was occurring, stood "like a statue of adamant," seeming "the most disinterested spectator of the solemn scene." He was brought to the gallows on September 28, where, dressed in a frock coat as if for a reception, he went unmoved to his doom, with thousands of men and women morbidly looking on.

At the trial of Joseph Knapp, which took place in November,

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[1] Parker, *Choate*, p. 141. The *Columbian Centinel* said, "Mr. Webster's remarks upon the consequences of a proper performance of duty were unusually eloquent." Judge Crosby said, "I doubt whether Webster was ever more excited, more impressive, or more victorious."

[2] Choate, then a young lawyer in Salem, assisted Webster in some minor matters.

[3] Virtually every account of the Knapp trials states or implies that it was Webster's famous speech which was decisive in securing a conviction, and mention is seldom made of the jury's disagreement.

Webster again represented the Commonwealth. To secure a conviction, it was necessary to satisfy the judges that, by refusing to testify at his brother's trial, Joseph had forfeited the immunity which had originally been promised him and that, consequently, his confession should be admitted as evidence. When the Court ruled in Webster's favor, a conviction was almost inevitable, and his summing up, delivered on Friday, November 12, occupied only two hours and forty minutes. The jury once more reported a verdict of "Guilty," and Joseph Knapp was duly hanged on the last day of the year.

Webster's conduct during the Knapp trials has occasioned certain strictures from his critics, one of whom has asserted that he played "fast and loose with his conscience." It seems to be true that Webster, satisfied of the moral guilt of the prisoners, was ready to adopt every possible legal means to secure their punishment. The fact that a bench consisting of Judges Putnam, Wilde, and Morton — all of whom had reputations for impartiality — saw nothing to be censured in his management of the case should be sufficient vindication. Webster merely brought to bear all the influence of his powerful intellect and superb oratory, and, by so doing, ensured the condemnation of two bloodstained offenders. In undertaking to assist the Attorney-General, Webster was acting as he had legally a right to do, and he was paid no fee by the Commonwealth. If, later on, Stephen White chose to make him pecuniary compensation, — as seems to have been the case, — that does not materially affect the issue.

The importance of the affair is chiefly in its evidence as to Webster's amazing flexibility of mind. Only a few months after his great achievement in the Reply to Hayne, he entered a field of the law with which he had little practical acquaintance and, by a brilliant *tour de force*, won the admiration of his legal contemporaries. The White murder was a sordid business, but Webster made it seem profoundly moving, operating like a tragedy of Sophocles to purge the soul by means of pity and of terror. By his sublimating genius he transformed a cold-blooded crime into a matter of universal consequence, illustrating some of the stormiest passions which may sway the human heart.

It was, of course, through his arguments before the Supreme Court of the United States that Webster achieved national fame as a lawyer. With that Court he was intimately connected over a long period; he was on the friendliest terms with most of the justices; and he probably appeared before that tribunal more frequently than any other member of the Bar. It was often rumored that he was to be named as Chief Justice,[1] and President Jackson evidently seriously considered making the appointment, especially in 1833, when the two rivals were temporarily joined together in their hatred of Nullification.[2]

After 1830, an announcement of Webster's appearance before the Supreme Court was sure to attract a rush of visitors. During the Girard Will Case in 1844, the New York *Herald* correspondent wrote: "Daniel Webster is speaking. . . . There is a tremendous squeeze, you can scarcely get a case knife in edgeways. . . . There never were so many persons in the court-room since it was built."[3] While the Passenger Cases were going on, in 1847, a journalist reported, "The court-room was crowded, the ladies occupying most of the seats assigned to the audience."[4] As we step into that basement chamber to-day, we find it lined with books and altogether unimpressive. But, if we can let our imaginations have free play, it may be possible for us to picture the justices as they entered about eleven o'clock, donned their sombre robes, and took their seats on the long dais, each behind his mahogany desk, with their backs to the eastern windows. We can still discern the ceiling arches, the deep alcoves, the crude tinted bas-relief of Justice holding the scales; and we can believe that, adorned with silken draperies and richly colored Wilton rugs, the room may have had a certain elegance. Finally, we may be able to visualize the portly figure of Daniel Webster as he rose solemnly in his place and, with every eye upon him, began, "May it please Your Honors!"

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[1] It was reported as early as 1833 that Marshall had intimated his readiness to resign if he could be assured that Webster would succeed him. On March 5, 1833, James L. Petigru wrote to Hugh Legaré, "It has been hinted, and I think not improbable, that Webster will be Chief Justice." (*Life, Letters, and Speeches of James L. Petigru*, p. 121.) Whenever a new appointment was imminent, Webster was mentioned in the press; but it is doubtful whether at any time in his career after 1830 he would have accepted the Chief Justiceship.

[2] Senator Foote, of Mississippi, is one of the authorities for this statement. (Warren, *Supreme Court*, II, 238, note.)

[3] *Ibid.*, p. 402. Justice Story wrote his wife, February 10, 1844, "Even the space behind the Judges, close home to their chairs, . . . presented a dense mass of listeners." (Story, II, 468.)

[4] Warren, *Supreme Court*, II, 449.

With the whole question of judiciary reform Webster was much concerned, and repeatedly on the floor of Congress defended the Supreme Court and its interpretation of its functions and powers under the Constitution. During his Reply to Hayne, he had come to the defense of the doctrine of judicial supremacy, and his steady insistence that the nullification of a Supreme Court decision was treason marked an important step in the evolution of that tribunal.

At the 1830 term, Webster was busy with several important cases; indeed, as we have seen, the Reply to Hayne was delivered during an interval between two arguments. In *Inglis* v. *Trustees of Sailors Snug Harbor* (3 Pet. 99), he was retained with David B. Ogden for the plaintiff, but lost, after a vast amount of hard labor.[1] On the day after the Reply to Hayne, Webster was arguing in *Bell* v. *Cunningham* (3 Pet. 69), and he had three other notable cases to dispose of within the following two weeks. One of the most interesting of his arguments during that winter was presented in *Wilcox et al.* v. *Executors of Plummer* (4 Pet. 172–83), in which he appeared for the defendant in a matter involving the statute of limitations.[2]

Webster's persistent efforts to strengthen the authority of the Supreme Court did not remain unchallenged. In 1831, while the famous Cherokee Cases were pending, an attempt was made in Congress to repeal the twenty-fifth section of the Judiciary Act, under which the Court had the right to pass on the constitutionality of state laws. Such a bill was reported favorably in the House, but was eventually defeated on January 29, by a large majority. If it had passed, most of the work of Webster and Marshall would have been undone; indeed, Doddridge, of Virginia, declared that he considered the measure as "equivalent to a motion to dissolve the Union."[1] During the debate on the floor of the House, Webster exerted all his influence with his friends in that body, and it was partly due to him that a dangerous plot was blocked.

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[1] Webster wrote Ezekiel, March 15, 1829, regarding this case, "I have made a greater exertion in it than in any other since *Dartmouth College* v. *Woodward*, or than it is probable I shall ever make in any other." (National Edition, XVII, 475.)

[2] *Ibid.*, XV, 305.

Few cases of this period were more important than that of *Charles River Bridge* v. *Warren Bridge* (11 Pet. 420), which opened up a vital constitutional question and established a far-reaching precedent. In 1785, a Massachusetts corporation had been authorized to construct a bridge across the Charles River and collect tolls. In 1792, when the bridge was in operation, its charter was extended to 1856, after which date it was to belong to the Commonwealth. In 1828, however, the Legislature permitted the incorporation of a company to build a competing bridge, to be known as Warren Bridge, with power to charge tolls until the expenses of the proprietors were repaid, after which it was to become the property of the state and be operated as a free bridge. It was obvious that, when the Warren Bridge was made free, the value of the Charles River Bridge, estimated at $300,000, would be destroyed.

Webster, consulted on the matter as early as March 20, 1826, had replied in a noncommittal letter, in which he declined to give an opinion until the Warren Bridge was begun.[2] Later, the Charles River Bridge Company filed a bill in equity for an injunction to prevent the erection of the Warren Bridge, and retained Webster, with Lemuel Shaw as junior counsel. In his argument before the Massachusetts Supreme Court at its January term in 1829, Webster maintained that the legislative incorporation of the Warren Bridge Company was repugnant to the Constitution of the United States because it impaired the obligations of a contract.[1] The issue was in several respects similar to that involved in the Dartmouth College Case. While it was being settled, however, transportation conditions in the United States were changing very rapidly. The development of railroads about to compete with previously chartered canals made the question of immense importance to trade, and its outcome was awaited with eager attention. Webster himself felt that precedents of the courts over a period of thirty years had "secured individual property against legislative assumption"; but, in spite of his reasoning, the Massachusetts Supreme Court dismissed the suit, and the case came up on appeal to the Supreme Court of the United States. When it was argued on March 7–11, 1831, only six judges were present, and, although Story prepared an opinion reversing the decree of the Massachusetts Court, the others were divided in their views. Since a full bench could not be obtained again for some years, it was necessary to call for a reargument in January 1837, at which time Webster appeared with Warren Dutton for the plaintiff against Simon Greenleaf and John Davis. Meanwhile Chief Justice John Marshall had died, and Roger B. Taney, after a long battle, had been approved in the Senate as his successor.

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[1] Justice Story wrote to Ticknor, "If the Twenty-Fifth Section is repealed, the Constitution is practically gone"; and he called the bill "a most important and alarming measure." Louis McLane, a prominent Democrat, wrote to Van Buren, July 20, 1830, "I fear Judge Story is but the wretched tool of Mr. Webster."

[2] Van Tyne, p. 117.

Webster's argument in the Charles River Bridge Case was his first before the new Chief Justice, whose confirmation he had so vigorously opposed. Taney was described as "tall, sallow, thin, hard-featured, and careless in dress," with "great tenacity of purpose and strength of will." Another observer noted that he was "tall and slender, considerably bent with years, his face deeply furrowed." Webster was well aware that his own relationship to the Court had been much altered by the change in Chief Justices, but it was not long before he had to admit that Taney was, in some respects, fully equal to Marshall.

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[1] For Webster's argument before the Massachusetts Supreme Court, see 7 Mass., 427–42, reprinted in National Edition, XV, 347 ff. There is a story that, after Webster's argument, the price of shares in the Charles River Bridge rose from two hundred dollars to twelve hundred dollars, but I have been unable to verify this. If it is so, the shares must have dropped with equal rapidity after the suit was dismissed. The fullest treatment of the Charles River Bridge Case is that by Charles Warren, in his *History of the Harvard Law School*, Vol. I, Chap. 24, pp. 507–43.

As usual when Webster was among the counsel, the Supreme Court Chamber was filled with an audience consisting of "a large circle of ladies, of the highest fashion, and taste, and intelligence, numerous lawyers, and gentlemen of both houses of Congress, and towards the close, the foreign ministers, or at least some two or three of them."[1] His argument was described by one newspaper correspondent as "masterly," but Greenleaf wrote Sumner that Webster "was observed to be very uneasy and moody during the whole defense," and he evidently had a premonition that he was to lose.[2] Justice Story felt that "Webster's closing reply was in his best manner, but with a little too much of *fierté* here and there."[3] The Opinion, rendered three weeks later by the Chief Justice, was given for the defendant by a vote of four to three, the deciding factor being the voice of Taney. In reality, Andrew Jackson had won another victory. It was the first important constitutional case in which Webster had failed, and he could see that, with the passing of John Marshall, a new era had begun. Much annoyed, he wrote, "The decision of the Court will have completely overturned, in my judgment, one great provision of the Constitution."[4] Other conservatives, including Justice Story, expressed alarm at the unmistakable implications of the new doctrine.

But, although vested interests and corporation attorneys raised the familiar warning cry of "radicalism," it is probable that the outcome of *Charles River Bridge* v. *Warren Bridge* was for the ultimate economic good of all sections of the country. It would have been disastrous if the proprietors of obsolescent turnpikes had been allowed to block the construction of railroads. The gloomy Tories, of whom Webster was one, were, in this case, standing squarely in the path of progress. As soon as transportation was freed from the rigid principles which were retarding its further development, it went ahead fearlessly, and the prosperity which ensued was largely attributable to the wise decision of the Supreme Court.

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[1] Story to Sumner, January 27, 1837.

[2] Fletcher wrote his father, February 1837, "I regret that you will lose the bridge case, — perhaps you may be mistaken." (Van Tyne, p. 209.)

[3] Webster's argument is summarized in National Edition, XV, 322 ff. The emotional appeal with which he closed is given only in a much abridged version.

[4] Webster to Story (Story, II, 269).

There were moments in the 1830's when Webster, engrossed in the battle of the Whigs with Andrew Jackson, could not always bestow proper attention on his law cases. He wrote to Mason in 1835, "My habits, I must confess, and the nature of my pursuits for some years, render it more agreeable to me to attend to political than to professional subjects."[1] Not long before that, Charles Sumner, listening to the argument in *Binney* v. *Chesapeake and Ohio Canal* (8 Pet. 201), involving half a million dollars, in which Walter Jones and Francis S. Key were engaged with Webster, declared that neither Jones nor Key had prepared himself, and that Webster filled up "the remiss triumvirate." Sumner continued: "Politics have entirely swamped his whole time and talents. All here declare that he has neglected his cases this term in a remarkable manner. It is now whispered that he has not looked at the present case."[2] Clients sought his services, however, and a memorandum shows that his fees in 1834 amounted to $13,140; in 1835 to $15,183.74; and in 1836 to $21,793. His highest fee during this period was $7500, in *New Orleans* v. *The United States* (10 Pet. 662), in which he argued for the plaintiff that a strip of vacant land between certain city buildings and the Mississippi River — a strip which had been much enlarged by alluvial deposits — belonged to the municipality of New Orleans.

An interesting point was settled at the 1838 term, when in the case of *The State of Rhode Island* v. *The State of Massachusetts* (12 Pet. 657) the Supreme Court held that it had jurisdiction over a boundary line conflict between two sovereign states. Webster and his associate counsel, James T. Austin, Attorney-General of Massachusetts, made a motion to dismiss, but their plea was rejected, although they had the Chief Justice on their side. The actual case — a bill in equity brought by Rhode Island asking for the restoration of what was alleged to be the original boundary line between the two states concerned — was long pending in the Supreme Court. It was argued in 1839, in 1840, and again in 1841, when, on March 8, after he had taken his oath as Secretary of State, Webster made the closing speech.[1] The final argument was not called until the December term, in 1845,[2] when Webster, with Rufus Choate as his associate, succeeded in having the suit dismissed, on the ground, to quote Chief Justice Taney, that the Court did not possess "the power to try such a question between States, or redress such a wrong, even if the wrong is proved to have been done." It was felt by many present that Choate's handling of the defense was even more brilliant than that of his senior associate.[3]

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[1] Webster to Mason, February 6, 1835 (National Edition, XVI, 252).

[2] Sumner to Greenleaf, March 3, 1834 (Pierce, I, 135 ff.). Sumner, then twenty-three years old, was on his first visit to Washington. Webster arranged for his admission both to the Senate and to the Supreme Court Chamber, which he described as "a dark room almost down cellar." To his father, Sumner wrote, March 19, 1834, "I probably shall never come here again"; yet, before twenty years had passed, he was occupying Webster's seat in the Senate.

An important group of cases argued in 1839 elicited the opinion that a corporation has the right to make and enforce a contract outside the limits of the state in which it is chartered. The issue was raised particularly in *Bank of the United States* v. *Primrose* (13 Pet. 519), in which Webster was one of the counsel for the plaintiffs in error. The newest Justice of the Supreme Court — John McKinley, of Alabama, a Jackson Democrat appointed by President Van Buren in 1837 — had rendered in the Circuit Court a decision upholding the courts of Alabama in their ruling that a corporation created in one state had not power to contract in any other state, either directly or through an agent. The Bank of the United States had long been discounting bills in other states besides Pennsylvania, and other financial institutions had naturally followed a similar procedure. As soon as this decision was promulgated, the disastrous effects were felt: debtors began to repudiate their obligations, and the supporters of state banks looked confidently forward to a comfortable monopoly of the banking business within their own states.

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[1] Adams, *Memoirs*, X, 440 ff. Adams described Whipple, one of the counsel for Rhode Island, as "harping upon an alleged *mistake*, by Commissioners who settled the question a hundred and twenty-two years ago."

[2] 4 Howard, 591.

[3] Fuess, *Rufus Choate*, pp. 159–61. Judge Catron said of Choate at this time, "I have heard the most eminent advocates, but he surpasses them all."

The "Great Appeal Case from Alabama," as it was popularly called, attracted the attention of commercial interests, especially in the Eastern states. Webster closed his argument on February 9, 1839, before "as brilliant and intelligent an audience as ever met within the walls of a single room."[1] Discussing the question in all its possible ramifications, he declared the earlier decision to be "anti-commercial and anti-social . . . calculated to break up the harmony which had so long prevailed among the States and people of this Union."[2] Taney's Opinion, reversing the earlier decision of Justice McKinley, was hailed at the moment as a victory for the Bank of the United States and was commended by such a conservative as Story. But, while it did hold that power to make a contract was to be presumed in the absence of any express prohibition, it also proclaimed the right of any sovereign state to refuse recognition to a foreign corporation. Listening to such doctrine, Webster must have longed for the old days when he and Chief Justice Marshall had worked together to build up the authority of the central government.

After retiring as Secretary of State in 1843, Webster resumed the active practice of law, signalizing his entrance into the legal arena by appearing as one of the counsel for the plaintiffs in *Vidal et al.* v. *Girard's Executors* (2 Howard 127), better known as the Girard Will Case. The wealthy Philadelphia merchant, Stephen Girard, at his death in 1831, had bequeathed several million dollars to the City of Philadelphia for the founding of a college for "poor white male orphans," under the unusual restriction that "no ecclesiastic, missionary, or minister, of any sect whatever" should ever be admitted within its premises.[1]

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[1] *New York Express*, February 15, 1839. For an interesting summary of contemporary comment, see Warren, *Supreme Court*, II, 326 ff.

[2] Webster's argument — one of the clearest and most logical he ever made — is printed in National Edition, XI, 106 ff.

The validity of the will had been disputed by several of the testator's relatives, who had retained General Walter Jones and Webster; while Horace Binney and John Sergeant appeared for the City of Philadelphia. The original suit, started in 1836, had been decided by the Circuit Court five years later in favor of the defendant, and had then been carried by appeal to the Supreme Court of the United States. When it was brought up in 1844, Taney was ill, and Justice Story presided. The contemporary gossip that Webster was to receive $50,000 if he won may well have been the truth, for the sum involved was very large.[2]

General Jones, "a small old gentleman," in rather poor health, opened for the plaintiffs on February 2, speaking in "quiet, insinuating, lisping tones," and arousing no enthusiasm. He was followed by Binney, a white-haired, large-framed man, who declaimed like a scholar and was well equipped with facts. The correspondent of the *New York Herald* reported that Binney had "pulverized Mr. Jones' argument," and Webster was observed to be listening attentively to the masterly reasoning of his opponent. Sergeant, terse and rather dry, then occupied two days; and, on the morning of February 10, the stage was set for Daniel Webster.

For three days — Saturday, Monday, and Tuesday — he spoke almost without interruption, before an audience which included some of the highest personages in the land. As he began, there were over two hundred ladies "crowded, squeezed, and almost jammed into that little room," until it seemed an extraordinary mixture of "law and politeness, ogling and flirtation."[1] Even John Quincy Adams escaped from the House of Representatives for an hour and a half and sat in front of Webster, paying careful attention to every word.[2]

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[1] Girard, a disbeliever in Christianity, had named his vessels for eminent freethinkers. He himself was forbidding in appearance, miserly in his private affairs, and inhospitable; but he was extraordinarily liberal in public matters, and dispensed thousands of dollars for city improvements and charities.

[2] See Wise, p. 216 ff., for some interesting reminiscences of this famous case.

Although the plaintiffs introduced several objections to the will, the real issue was whether Girard's exclusion of ecclesiastics from his proposed institution did not invalidate the charity. Webster contended that the bequest was contrary to public policy because the plan of education was "derogatory to the Christian religion." Christianity being the only true foundation of good conduct, any moral instruction not resting upon it as a basis is merely a building upon sand. Picturing the disastrous consequences which would ensue if such a school were allowed to operate, he declared that the will was "the most opprobrious, the most insulting and unmerited stigma, that was ever cast, or attempted to be cast, upon the preachers of Christianity." He concluded by saying that Girard's plan was "unblessed in all its purposes" and could accomplish nothing but harm.[3]

Webster's argument, studied to-day, seems an amazing outburst of bigotry, illustrating the malevolent lengths to which orthodoxy can sometimes go. He wished to confine charity to the Christian religion exclusively, just as some pedagogues would chain education to the Greek and Roman classics. More conservative in his theology than in his politics, Webster quoted approvingly the dictum of Dr. Paley that "a single word from the New Testament shuts up the mouth of human questioning, and excludes all human reasoning." It was not an argument which he was presenting, but a sermon

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[1] *New York Herald*, *passim*. The *Herald* correspondent wrote on February 13, the last day of the argument: "All of the seats of the members of the Bar and half the area behind the Judges were occupied. The audience trespassed hard upon the Judges once. But few persons of the great multitude who desired to be present could get within hearing distance."

[2] Adams, with characteristic acidity, described the case as "the scramble of lawyers and collaterals for the fragments of his [Girard's] colossal and misshapen endowment of an infidel charity-school for orphan boys." (Adams, *Memoirs*, XI, 510. Entry for February 13, 1844.)

[3] At the request of a group of Washington citizens, mainly clergymen, this argument, after a careful revision by Webster, was printed in pamphlet form, and widely circulated. It is reproduced in National Edition, XI, 135 ff.

— an appeal to the emotions. When he exclaimed, with burning indignation, "To even argue upon the merits of such a will is an insult to the understanding of every man," the audience, for the first time in the history of the Supreme Court, broke into applause. Some observers were much amused. One member of Congress said, "It was the only three days' meeting that I ever attended where one man did all the preaching, and there was neither praying nor singing."[1] Another referred ironically to "the greatest novelty of the season — Mr. Webster as the peculiar advocate of religion."

Webster's pious fervor in the Girard Case was not necessarily hypocrisy. In his religious views, he was thoroughly conventional, and usually to be found on the side of orthodoxy. But even Justice Story could perceive that Webster's speech was intended to be an appeal "to the prejudices of the clergy."[2] No fair-minded judge could possibly sustain the position which Webster took, and the will was upheld by the unanimous opinion of the bench.

It was intimated at the time that Webster, in the Girard Will Case, had in mind the influence which his argument would have on his candidacy for President in 1844. But he was not the man to use religion as a footstool to political office. Everything which we know of his beliefs indicates that he was expressing before the Supreme Court convictions which he had always held, and that he did not by any means assume them for that particular occasion. However illiberal he might be, he was not dishonest, and our certainty that he was mistaken need not lead us to question his sincerity. The somewhat complacent dogmatism displayed in his argument was entirely characteristic of the man.

The interesting case of *Thurlow* v. *Massachusetts* (5 How. 504), involving an interpretation of the power of Congress over interstate commerce, was first argued in 1845, with Choate and Webster for the plaintiff, who had been indicted and convicted for selling spirits without the license required by the Commonwealth of Massachusetts for dispensing any quantity less than twenty-eight gallons. As some of the sales charged were those of imported wines and brandies, the question was introduced as to whether the state law was repugnant to certain Acts of Congress permitting the bringing in of foreign liquors. John Davis, for the Commonwealth, defended the state statute and insisted on a strict construction of the Constitution; while Webster was in the familiar position of asserting the authority of the Federal Government. Because of two vacancies on the bench, the decision was postponed, and a reargument was called for in 1847. In the end, six justices rendered opinions, each reaching the same conclusion by a different process of reasoning; and the Supreme Court decided against the plaintiff, thus confirming the authority of an individual state over its retail trade in spirituous liquors — an authority which was to be undisturbed until the passage of the Eighteenth Amendment.

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[1] Wentworth, p. 36.

[2] Story, II, 469. Hiram Ketchum, writing to Webster on February 21, 1844, said, "If you are not the man for the clergy, and all the clergy of the country, I greatly err in judgment."

The last argument included by Webster in the collection of his works supervised by him was that in *Luther* v. *Borden* (7 How. 1), delivered on January 27, 1848, and entitled by him "The Rhode Island State Government." The question was part of the aftermath of that interesting episode in New England history known as the Dorr Rebellion. In 1841, certain malcontents, dissatisfied with the old colonial charter because of its property qualification for voters, called a convention, framed a new constitution, and submitted it to the people at a special election. After the acceptance of this constitution by a small group, Thomas W. Dorr, who would be called to-day a "socialist" or a "red," was chosen as Governor. Meanwhile the government under the original charter retained its supremacy and, resorting to martial law, suppressed the so-called "rebellion" and eventually convicted Dorr of treason and sentenced him to life imprisonment. President John Tyler refused to recognize any but the established government and sent a letter promising to support it, if necessary, by the federal forces. The suit in which Webster was retained had been brought by Dorr's followers and had come up from the Circuit Court of Rhode Island on a writ of error, resulting from an action for trespass. The affair had assumed a political aspect — a skirmish between Democrats and Whigs, with the former upholding Dorr.

When the hearing, which had been unavoidably postponed from term to term, was finally called, it was the occasion for some rancorous discussion between partisan newspapers. After Webster's argument was finished, the Whigs boasted that he had "demolished what was left of Dorrism,"[1] and had "left not a vestige of the miserable pretexts and demagogism which had been piled up by the opposing counsel."[2] It was indeed an admirable exposition of the conservative attitude towards constitutional government; and it closed with a peroration, adorned with Latin quotations, which, although possibly too emotional for a court of law, was thought by those who heard it to be very eloquent. A year later, in January 1849, Chief Justice Taney read a carefully prepared Opinion declaring that the question of the legitimacy of the Dorr Government was purely a political matter, on which the Court must refuse to pass. Meanwhile the controversy had settled itself. A new constitution, granting most of the demands of the "rebels," had been proposed and passed in Rhode Island; Dorr himself had been pardoned and released; and both sides claimed a victory.

Webster was concerned also in 1848 with the reargument of the "Passenger Cases," which had for some years engaged the attention of the courts. *Norris* v. *Boston* (7 How. 283) had arisen out of the so-called Passenger Law of 1837, which laid a tax of two dollars on each immigrant to the Commonwealth of Massachusetts. Norris had brought suit against the City of Boston to recover thirty-eight dollars demanded from him under the provisions of the absurd Act; and both the Court of Common Pleas and the Supreme Judicial Court of Massachusetts had decided that the measure was unconstitutional. The issue involved somewhat similar legislation passed by Southern states excluding free Negroes from their territory, and the Supreme Court rather obviously avoided any broad interpretation of the wording of the "Commerce Clause" in the Constitution.

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[1] For the text of Webster's argument, see National Edition, XI, 217 ff. There is a most interesting discussion of the case in Warren, *Supreme Court*, II, 462 ff.

[2] Philadelphia *North American*, January 29, 1848. The attorneys for the plaintiff were Nathan Clifford, United States Attorney-General, and Benjamin F. Hallett, of Massachusetts — both Democrats.

First argued in February 1847, by Webster and Choate against John Davis, *Norris* v. *Boston* was continued in the December of that year, and again in December 1848, with J. Prescott Hall taking the place of Choate.[1] From Webster's conservative and nationalistic viewpoint, the Passenger Law was indefensible.[2] His final argument, delivered in a courtroom which was almost suffocating because of the intense heat, was a remarkable exhibition of endurance. In essence, it repeated the doctrines of some of his earlier speeches before Chief Justice Marshall, defending the sanctity of the Supreme Court and protesting against the irregular and menacing acts of state legislatures. As Webster had predicted, the vote of the justices was close,[3] and each of the nine read a separate opinion. By a bare majority of five to four, it was held that the Passenger Laws were unconstitutional.[4] The extraordinary diversity of the views expressed left the matter, as one newspaper expressed it, "in doubt and mist," and the advocates of State rights were far from satisfied, especially in the South, where nullifications were openly advocated.

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[1] A similar case — *Smith* v. *Turner* — had come up from the New York courts and had been argued by Webster, with Ogden as his associate, as early as December 1845. Of Webster's argument in this case, the Baltimore *American* (December 27, 1848) had said that it was "eminently Websterian, close, compact, powerful."

[2] Webster wrote to Fletcher, February 7, 1847: "It is strange to me how any Legislature of Massachusetts could pass such a law. In the days of Marshall & Story it could not have stood for one moment." (National Edition, XVI, 470.)

[3] Describing the case to Fletcher, December 26, 1848, Webster wrote, "I argued my cause well enough, & if I were not always unlucky, nowadays, in such cases, I should think I saw a glimmering of success." (*Ibid.*, p. 509.)

[4] Webster wrote to Blatchford, February 3, 1849: "In my poor judgment the decision will be more important to the country, than any decision since that in the steamboat case. That was one of my earliest arguments of a constitutional question. This will probably be, — and I am content it should be, — my last. I am willing to confess to the vanity of thinking that my efforts in these two cases have done something towards explaining and upholding the just powers of the government of the United States, on the great subject of commerce." (National Edition, XVIII, 294–95.) On February 10, 1849, Webster wrote to J. Prescott Hall, giving an admirable summary of the whole litigation, from its inception to the final decision. (*Ibid.*, XVI, 511–12.)

The last case in which Webster appeared personally before the Supreme Court of the United State was *Van Rensselaer* v. *Kearney* (11 How. 297), argued in February 1851, while he was Secretary of State. It did not involve a constitutional question, but concerned the title to a vast tract in the State of New York. Although Webster presented his plea with the thoroughness and vigor of a young man, he was defeated. He was retained also in *Gaines* v. *Relf* (12 How. 472) and in *Glenn* v. *United States* (13 How. 250), but does not seem to have served in any capacity except that of advisory counsel.

A comprehensive treatment of Webster's achievement as a constitutional lawyer would, of course, include many cases not even mentioned in this chapter and would require hundreds of pages for adequate discussion. Wheeler, in his excellent volume, *Daniel Webster, the Expounder of the Constitution*, has covered fifty-four cases, and the list is far from being exhausted. Furthermore, he was retained in much litigation of small public importance, but frequently very picturesque. The only sources of information regarding these cases are contemporary newspapers and occasional references in diaries or memoirs.[1]

In the summer of 1843, Webster was one of the counsel for William Wyman, President of the Phœnix Bank of Charlestown, who was accused of embezzlement. The other lawyers for the defendant were Franklin Dexter, Ebenezer Rockwood Hoar, — then a young man of twenty-eight, — and Rufus Choate; and the prosecution was conducted by Asahel R. Huntington, District Attorney for Essex and Middlesex. Because of Wyman's prominence in financial circles, the affair attracted much attention. The case was tried three times.

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[1] Writing in 1831, Samuel L. Knapp said: "Not ten of Mr. Webster's speeches at the bar have, even in this careful age, been saved, unless he has preserved them himself. . . . The few which have been saved have, in general, had some bearing on State rights, or were connected with some popular excitement." (*Memoir of Webster*, p. 172.)

At Concord, during the first attempt, Webster, in his concluding argument, stressed the point that no cash had been found in Wyman's possession. In his reply, Huntington said, very roughly: "They want to know what's become of the money! I can tell you what's become of the money. Five thousand dollars to one counsel, three thousand dollars to another, two thousand to another!" As he said this, he waved his hand significantly towards Webster, Choate, and Dexter. Choate merely smiled, and Dexter seemed indifferent; but Webster, unused to such treatment, rose and cried, "Am I to sit here to hear myself charged with sharing the spoils with a thief?" Judge Washburn directed Huntington to confine himself to the evidence, but Webster was thoroughly incensed and could not be placated.[1] That evening Squire Hoar said to his son, "Well, Rockwood, how is Mr. Webster to-day?" The young man replied, "Mr. Webster, father, has a bad cold, and it seems to have settled on his temper."[2] The jury disagreed, and another trial was ordered at Lowell.

Huntington, who had always admired Webster, was unwilling to encounter him again, and the prosecution was accordingly entrusted to District Attorney Wells, of Greenfield. Webster was, at that period, inclined to be arrogant, and, when he saw that his defeat was almost inevitable, made critical remarks during the charge of Judge Allen, who was presiding. Finally the jurist was obliged to say, "Mr. Webster, I cannot suffer myself to be interrupted." Webster replied, "I cannot suffer my client to be misrepresented." Judge Allen then said sternly, "Sit down, sir." Later Webster publicly apologized to the bench for the excessive zeal which he had displayed. Wyman was convicted, but the case was carried to the Supreme Court, which, on technical grounds, set aside the verdict and ordered a new trial.

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[1] Hoar, I, 138. Hoar's account of the case is full of interesting anecdotes. Julia Webster Appleton entered in her Diary for Thursday, November 23, "Father returned from Lowell, having got through with the trial of Wyman. Judge Allen charged strongly against the defendant, & made some remarks upon his counsel, which occasioned a discussion between father and the judge, not of the pleasantest character." (MS. Diary.)

[2] Story and Emerson, *Ebenezer Rockwood Hoar*, p. 36.

The third trial, like the first, was held at Concord, and Emerson, who was then living in the village, recorded in his Diary, "Webster quite fills our little town, and I doubt if I shall get settled down to writing until he is well gone from the country."[1] Among the other lawyers, he appeared "like a schoolmaster among his boys"; and he amused Ebenezer Rockwood Hoar by virtually adjourning the court every day, which he did by rising, taking his hat, and looking the Judge coolly in the face. The latter, taking the hint, would then bid the Crier announce a recess. Emerson listened to Webster's argument one August morning and was impressed by his rhetoric — "so homely, so fit, so strong" — and by his "force of personal attack." But the Concord philosopher had no appetite for returning in the afternoon to hear the conclusion — "The green fields on my way home were too fresh and fair, and forbade me to go again."[2]

Webster undoubtedly did his share of the labor for the defense, but the final acquittal of Wyman was due directly to Choate, who, at Hoar's suggestion, extracted from the directors of the bank an admission that they had not consented that Wyman should have power to dispose of its funds. Choate then showed that, as the resources of the institution had never been entrusted to the President, he could not be convicted of embezzlement. Thus a man who was undoubtedly guilty escaped the penalty of his wrongdoing.

Whenever Webster was pitted against his younger friend and professional rival, Rufus Choate, there was sure to be a battle of the giants. Choate, who regarded Webster as the greatest lawyer in the world, was not, however, afraid of him. In one important trial, when Choate had elucidated the law with convincing force, Webster, then his opponent, turned upon him his mournful eyes, as if in mute protest against such a gross misrepresentation of the facts. Observing this reproachful glance, Choate stepped forward and said in his dramatic way, "That *is* the law, may it please your Honor, in spite of the admonishing, the somewhat *paternal* look in the eye of my illustrious friend." In court practice, Webster was likely to be heavy, solemn, overwhelming; Choate was quick, versatile, and persuasive. Webster was like "a great three-decker surging into harbor"; Choate was a lighter and more active vessel, darting here and there with rapidity and ease. Webster was, in his later days, often somnolent and sluggish, but, when aroused, he was invincible.[1]

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[1] Emerson, *Journals*, VI, 433. Emerson, who was a keen if somewhat critical observer, put down on paper at this time a long analysis of Webster's character and personality. He noted, "Elizabeth Hoar says that she talked with him, as one likes to go behind the Niagara Falls, so she tried to look into those famed caverns of eyes, and see how deep they were, and the whole man was magnificent." But he himself said, "One feels every moment that he goes for the actual world, and never one moment for the ideal."

[2] *Ibid.*, p. 431.

The contrast between the two was never better shown than in the Oliver Smith Will Case, in July 1847, before the Massachusetts Supreme Court, sitting at Northampton. The heirs at law of Oliver Smith, a wealthy bachelor, were endeavoring to break his will, — which had left a large sum to local charities, — on the ground that one of the witnesses to the document, Theophilus Parsons Phelps, grandson of the eminent Chief Justice Theophilus Parsons, was not, at the moment of attestation, of sound mind. Webster was retained by the town of Northampton, with several counsel representing other defendants. Writing on July 5, Webster said, "We shall have a long cause, & I prescribe to myself patience, moderation, & coolness. We begin to-morrow."[2]

It was soon apparent that everything would hinge on the sanity of Phelps — a timid, sensitive, and rather neurotic young man, who had once attempted suicide, but had later improved in health. Choate, for the plaintiff, made a marvelous analysis of Phelps's mental malady; and then Webster, who had obtained a long interview with Phelps, with splendid audacity placed him upon the witness stand, having first secured from Choate a promise that the latter would not injure the youth's feelings or attempt to disconcert him while he was testifying. Assured of Webster's support, Phelps told his story with a simple eloquence, very moving, and passed the ordeal so successfully that a verdict was given for the defendants.

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[1] For a discriminating analysis of Webster's qualities as a lawyer, see Joel Parker's *Daniel Webster As a Jurist*, an address delivered before the students of the Harvard Law School in 1853.

[2] Webster to Fletcher, July 5, 1847 (National Edition, XVI, 487).

In this case, after Choate had delivered one of his outbursts of impassioned rhetoric, Webster adopted the tactics of his earlier mentor, Jeremiah Mason. When the speech was finished and the room was quiet, he congratulated his opponent on the brilliance of his poetic fancy, and then, turning towards the jurors, said: "And now, gentlemen, we are asked to consider a question, not of poetry, but of fact. This is a simple matter, about plain people, like you and me. Let's get down to business." The device worked, and Webster was triumphant; but he owed much to the generosity of Choate.[1]

Unlike Choate, Webster was not usually very effective in a weak case, but there were instances of his surmounting almost invincible obstacles. Such was the case of *Peter Sanborn* v. *Josiah P. Cooke, Executor*, in which he was associated with Choate for the plaintiff. Sanborn had been a coachman for Nathan Tufts, a wealthy retired tanner of Charlestown, and naturally expected a legacy when the latter died. But Tufts' will made no mention of Sanborn, and the latter, supported by public opinion in the community, complained bitterly of the ingratitude of his former employer. A year after the death of Tufts, Sanborn produced a note of hand signed by him, promising to pay Sanborn five thousand dollars and to deed him his house and land. The administrators, refusing to pay these claims, set up forgery as a defense. At the first trial, in 1838, with Mason and Choate representing Sanborn, the jury gave him a verdict for the full amount, but the court later set this aside as not in accord with the law and the evidence. At the second trial, called at the November term in 1838,[2] Webster took Mason's place.

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[1] For additional details of the Oliver Smith Case, see Harvey, p. 105 ff., and Parker, *Choate*, p. 385 ff.

[2] The case of *Sanborn* v. *Cooke* is No. 102 on the docket for the November term, 1838, and a complete account of it, including many interesting notes in Choate's weird handwriting, may be consulted in the records of the Supreme Judicial Court of Massachusetts.

While the witnesses were being examined, Webster displayed little interest in what was going on, and the nervous, excitable Choate, whose whole soul was in the cause, was very apprehensive. He even tried to get Webster to talk over the situation on Thanksgiving Day, but the latter was dining with Mr. Paige and refused to consider any matter of business. On the next morning, Samuel Hoar made the final argument for the defense, and Webster followed him, speaking in a confused way, jumbling up the names of the people concerned, and behaving as if he were indifferent to the result. When the Court adjourned at two o'clock, for luncheon, it looked as if the defense were certain of victory. Meeting Harvey at the Tremont House, Hoar commented on Webster's poor beginning, but added: "It's an awful case. There's nothing in his side of it; but then, sir, you can't tell what he will do before he gets through. I never predict till after the game is run to cover."

At three o'clock, when the Court reassembled, Webster entered with a new look on his face. Pulling off his overshoes and throwing his coat over a chair, he gathered his notes together and made one of the most brilliant arguments of his career. It was as if, during the noonday interval, he had regained his former vigor. Although his client's cause had seemed hopeless, Webster now carried point after point, while the jurymen sat fascinated by his flow of language; and a verdict amounting to nearly $10,000 was rendered for the plaintiff.[1]

Much of Webster's professional work was done as a corporation lawyer, and, during the last twenty years of his life, he was closely identified with banking and manufacturing interests in Massachusetts. When railroads began to assume industrial importance, he was frequently retained by them, and it was said that he had a pass over every railroad in the East. On occasions, however, he was engaged by the opposing side. In 1844, for instance, he argued, before the Supreme Court of the Commonwealth, a case in equity brought by the Providence Railroad Company against the City of Boston, praying that court — then sitting as a Court of Equity — to enjoin the municipal authorities from selling a strip of land adjoining the property on which the railroad station and other buildings had been erected. The Providence Railroad Company claimed to be entitled to the use of this land as a public highway, contending that it had been originally laid out for that purpose. Webster, as counsel for the city, presented a highly technical analysis of the points in controversy;[1] but he was unsuccessful, for the Court ruled that the land in dispute had been appropriated for the purposes of a street, and could not be sold without violating the rights of the Providence Railroad Company.

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[1] Many anecdotes of this famous trial are given in Harvey, pp. 85–97, but Harvey confuses names, and his details are very inaccurate.

In 1845, Webster, acting for the Boston and Lowell Company, appeared before the Railroad Committee of the General Court to protest against the granting of petitions for competing roads between Lowell and Andover. The original charter of the Boston and Lowell Road had been granted in 1830, with the provision that for thirty years there should be no other railroad between those termini. Webster defended his clients against the charge of maintaining a monopoly; asserted the right of corporate interests to protection against encroachment; and declared that there was no public exigency requiring a competing line. He ended, "I feel strongly for all such cases, for the security of private property and of public principle."[2] The Joint Standing Committee on Railroads and Canals, impressed by Webster's reasoning, recommended that the petitioners have leave to withdraw.

Webster had always a high regard for the bench and, except when momentarily irritated, paid to judges the respect to which he thought their position entitled them. His influence was frequently exerted to secure able men for the courts. In 1830, for example, he urged Governor Levi Lincoln to appoint

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[1] Webster's argument, delivered on April 3, 1844, is printed in full in National Edition, XI, 185–216. It is a fine example of close and lucid reasoning.

[2] Webster's argument, presented on January 20, 1845, was afterwards printed as a pamphlet, and appears in National Edition, XV, 373–404.

Lemuel Shaw as Chief Justice of the Supreme Court of Massachusetts; and, when Shaw wished to decline, Webster pleaded with him, while Shaw smoked innumerable cigars, until the latter, out of a sheer sense of duty, accepted the place.[1] Later, Webster recommended Benjamin R. Curtis to President Fillmore as a Justice of the Supreme Court of the United States.

While he was busy in Congress, Webster had necessarily to keep somebody in his Boston office to look after his legal business. The best known of his associates was John Plummer Healy,[2] who, from about 1840 until Webster's death, occupied the latter's desk during his absence and transacted for him any pressing legal business. Another was Henry W. Kinsman, who seems to have had the status of a junior partner. A long succession of young aspirants to the Bar studied nominally under his direction and were afterwards able to boast that they had been pupils of Daniel Webster, but it cannot be said that he gave them any very serious instruction.[3] Most of his extensive law library remained in Boston until the close of his career, but he erected a small wooden structure at Marshfield which he called his office, and in which he sometimes spent a few hours with his secretary. After his return to the Senate in 1846, he accepted very few cases except those involving large issues and remuneration, although he did consent to write opinions for corporations.[4]

The last, as well as one of the most significant, of the cases in which Daniel Webster figured was *Goodyear* v. *Day*, called in the United Circuit Court for the District of New Jersey, in March 1852, only a few months before his death. Charles Goodyear, the inventor of vulcanized rubber, had brought suit against Horace H. Day to obtain a perpetual injunction against the violation of certain patents. The case, popularly called "The Great India Rubber Suit," had been given wide publicity. Goodyear had done his utmost to retain Webster, but the latter, partly becasue of his position as Secretary of State and partly because of his ill health, was not responsive. Finally Goodyear offered him a fee of ten thousand dollars, with five thousand dollars additional if he won his case; and Webster, sick and tired though he was, girded himself for the battle, promising himself to devote the proceeds of his labors to the payment of some of his debts.[1] His associate counsel were James T. Brady and Edward N. Dickerson, and the defendant was represented by Cutting and Rufus Choate.

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[1] Harvey, pp. 127–28.

[2] John Plummer Healy (1810–1882), the son of Webster's friend, Joseph Healy, graduated at Dartmouth in 1835, entered Webster's office as a student, won his confidence, and soon became his assistant and associate. He served several terms in the Legislature, refused the post of Chief Justice of California, and, towards the end of his career, was Solicitor for the City of Boston.

[3] Among those who studied in this way under Webster was Charles Francis Adams.

[4] See, for example, Webster's "Opinion on the Erie Canal Act," written on April 11, 1851, and printed in National Edition, XV, 434–36.

Realizing the physical weakness of his attorney, Goodyear adopted measures for conserving Webster's strength. Every morning a spirited black steed was driven behind a carryall to Webster's hotel, with Goodyear's servant at the reins, and the Secretary of State was conveyed in comfort to the courtroom. After the session was over, Goodyear sent the splendid animal to Marshfield as a gift. Webster, delighted, named him "Trenton," after the place of the trial, and described him to Harvey as "a very noble horse."[2]

Although Webster consulted his associates freely, relying on their abstracts and building up his argument from them, he contributed some original ideas, and his argument was worthy of his best days.[3] He dealt with his opponents most courteously, even having a little fun at the expense of Choate's "pathetic speech" describing Day, almost tearfully, as a "deluded victim." His description of india-rubber articles in the primitive period before Goodyear had invented his vulcanizing process was highly amusing; and his tribute to the faithfulness of Goodyear's wife during his poverty and obscurity was most affecting. In general, however, Webster confined himself to statements of fact and to arguments based upon them, thus gradually constructing for his client a plausible and convincing case. He closed with a pleasing reference to the State of New Jersey, in which he was appearing professionally for the first time, and to the fairness of the court. Rufus Choate, in his Eulogy of Webster, in 1853, at Dartmouth College, paused, out of the richness of his experience, to speak, regarding the Goodyear Case, of Webster's "perfect mastery of the cause in its legal and scientific principles" and "the admirable clearness and order in which his propositions were advanced successively." The decision of the Court was for the plaintiff, and Daniel Webster had thus the satisfaction of ending his career as a lawyer with a triumph.

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[1] Webster was also promised by George Griswold an additional sum of $1000 if he won the case; and, on October 8, 1852, when no remittance had been received from Griswold, Webster wrote to remind him, gently but firmly, of the promise. (National Edition, XVI, 665.)

[2] Harvey, pp. 104–5.

[3] Webster's argument was printed as a pamphlet and may be read in National Edition, XV, 437 ff.

As he closed his argument, Webster congratulated the people of New Jersey on living always "under the protection of the law and the gladsome light of Jurisprudence." Courageously he said to Harvey, "Three or four such windfalls as that will let me die a free man; and that is all I live to do." But he must have suspected that he had taken his last retainer and served his last client. With a strength inadequate to any further similar ordeals, he returned to Marshfield, never again to enter a courtroom.

By the members of his profession, both in his own day and in ours, Webster has been generally regarded as the greatest of American lawyers. Other men may at times have surpassed him in one or another respect, but, in the peculiar combination of qualities which the law requires, he has never been equaled. This preëminence was gained, in the first instance, by his success in winning important and far-reaching decisions on constitutional matters before the Supreme Court of the United States. But even on less vital questions and before lower courts he proved himself to be the master of them all, and legends of his prowess are still repeated wherever the Bench and Bar assemble. Typical is the story of the Nantucket gentleman who once stopped a friend on the street and said, "I am in trouble and wish your advice." "What's the matter?" "Oh, I'm in a law suit, and Webster is against me. What shall I do?" "My advice is that your only chance of escape is to send to Smyrna and import a young earthquake."[1] Characteristic also is the tale of the conscience-stricken witness, who tried to avoid Webster's menacing eyes and at last, in terror, confessed himself a perjurer.

Slower and less sensational than Rufus Choate, Webster had a mind which could brush aside technicalities and trivialities and go at once to the vital issue. In the case of *Luther* v. *Borden*, he was assisted in preparing his brief by a clever young lawyer named Bosworth, who explained to him the strategy which had been adopted in the lower court. When Bosworth had concluded, Webster, feeling that something was lacking, inquired whether that was all. Bosworth answered that he himself took another view, which he then proceeded to elucidate. As he finished, Webster started up and exclaimed, "Mr. Bosworth, by the blood of all the Bosworths that fell on Bosworth Field, that is *the* point of the case!"[2] He seldom wandered from the argument, and he did not vacillate or waste time. Judge William W. Campbell, who heard him in New York City for the plaintiff in *Carver* v. *Johnson*, said that Webster's brain worked with the power and effect of a country sawmill, "literally dividing asunder whatever of obstacle in the way of argument came before him."[3]

Webster's professional standards were high, and he never attempted to win by trickery or subterfuge. One critic who knew him well left behind him this comment: "Webster was not very formidable in a weak case. But if it was strong, he was invincible; no man could take his verdict from him."[4] With the good taste to adjust his procedure to the needs of the occasion, he seldom made any effort to be melodramatic, relying rather on the justice of his cause. He was dignified and courteous, both to the judges and to the opposing counsel.

In his arguments, as in his platform speeches, Webster sought for exactness, following out the axiom of Julius Cæsar that

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[1] Kennedy, *The Real Daniel Webster*, p. 200.

[2] Curtis, II, 315, note.

[3] *Seventy-Second Anniversary Dinner, January 18, 1854*, pp. 53–54.

[4] Parker, *Choate*, p. 145.

"the choice of words is the source of eloquence."[1] Through his mastery of the arts of condensation and effective phrasing, he conveyed the impression of conscious power. Although he used ample illustrations, he did not wander from the subject, nor did he confuse his listeners by hesitation or fumbling. An excellent memory enabled him to quote readily from applicable cases or from classical literature. His skill in managing witnesses was an important factor in his method, and he had a readiness in retort which was often disconcerting to his opponents.

Webster, in his preparation for cases, seems to have acted on the principle that a brief period of intense concentration is better than long days of plodding study. "It is a law of our natures," he once said to John Whipple, "that the body or the mind that labors constantly, must necessarily labor moderately."[2] When the brain was employed at all, it should be exerted to the utmost; its fatigue should be followed by complete passivity. When he found himself tired, he ceased work entirely and gave himself over to relaxation. People who saw him in these idle moments — which frequently preceded some important case — thought him indolent, but he was really resting in preparation for hours of intensive toil.

The secret of Webster's greatness as a lawyer lay in his clear thinking and skillful presentation, backed by his magnificent personality. Before he began to speak, his presence had attracted the attention of the court, and he had created an atmosphere of expectancy. Having done this, he rarely failed to measure up to the hopes that he had aroused. The lawyer who, as Webster did, can stir and retain the admiration of his colleagues at the Bar over a period of forty years well deserves the title of "the supreme advocate."

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[1] Cicero, *Brutus*, Section 253, quoting C. Julius Cæsar — "Dixerit verborum dilectum originem esse eloquentiae." Rufus Choate once said, "Webster's phrases are much more *telling* than Everett's. They run through the land like *coin*." (Parker, *Choate*, p. 261.)

[2] Whipple, *A Discourse in Commemoration of the Life and Services of Daniel Webster, November 23, 1852*, pp. 14–15. Webster also told Whipple that "the great object in view is mental power and not mental acquisition alone. The greatest readers are seldom the most profound thinkers."

XXIX

WEBSTER, THE FARMER AND SPORTSMAN

> Amidst the toil of law and the stunning din of politics, any thing is welcome which calls my thoughts back to Marshfield, though it be only to be told which way the wind blows.
>
> — Webster to Charles H. Thomas, February 4, 1837

> Let me be left out of all cabinets but that of Porter Wright, Seth Weston, and Seth Peterson.
>
> — Webster to Blatchford, January 16, 1849

Farmers living at Green Harbor in the 1840's were used to seeing a robust figure in a wide-brimmed hat and knee-high boots, with a loose linsey-woolsey coat and flowing necktie, swinging in his left hand a Malacca joint nearly ten feet long. This was "Squire" Webster, the Laird of Marshfield, stopping here and there for a word with a neighbor or instructions to a workman. Everybody knew him, and he knew everybody.

Marshfield, in its prime, was an illustration of the creative power of an energizing personality. Webster had loved it almost at first sight, and, before he bought it, he said to Seth Peterson, "I suppose by the time I get the place, and means to make it fit to live in, I shall die, and leave it." In 1832, he paid $3650 for approximately 160 acres of land and the buildings upon it.[1] The soil, not naturally very productive, was so thin and barren that little could be grown without enriching it with fertilizers. Under Webster's management, however, it was completely transformed. Gradually he acquired new parcels of land, until he had added 1214 acres to his original holdings, under twenty-three separate deeds. Within less than a month of his death, — so strong was the ruling passion, — he purchased fifty more acres, although he had to borrow the money to complete the transaction.[1] It has been estimated that the expenditures for improvements amounted to $90,000. Before Webster died, he owned thirty buildings, of which seven were dwellings; and he employed regularly twenty-five men.

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[1] On the monument at Marshfield, the date of Webster's acquiring the property is given as April 23, 1832.

The original homestead — which Webster liked to call "Green Harbor" — had been built about 1774 by Nathaniel Ray Thomas, and was a plain two-storied farmhouse; but it was enlarged by him from time to time in an unconventional way until it had distinct individuality, and its nine large rooms on the ground floor made it seem imposing. The main section had two massive chimneys, each topped by a cluster of chimney pots. On the west end there was added, in 1843, a wing designed by his daughter, Julia, which became his library.[2] From the outside this was unique because of the odd dormer windows, which projected from the roof in two pairs, the ridge of each forming an obtuse angle with that of its neighbor. A latticed and pillared verandah ran entirely around the house, with vines and rosebushes climbing up the trellises. The total effect, although conforming to no recognized school of architecture, was charming, and it was enhanced by the long avenue, lined with elms, oaks, maples, pines, and sassafras, leading from the main highway to the front door. Webster kept the place looking "like a clean dinner plate," and the driveway was "just as smooth and clean as ice."[3]

Within, the house gave the impression of comfort rather than of beauty. There was nothing formal in the arrangement, and everything seemed planned for the convenience of hosts and guests. The furniture was varied in design, no attempt having been made to harmonize it with the requirements of any definite period. The total effect, if one may judge by pictures and the descriptions of those who visited the place, was that known to-day as "Victorian," although the library was somewhat ambiguously styled "Gothic." Haircloth sofas, marble mantelpieces, black walnut tables, and heavy carpets were all characteristic of the taste of that period. The rooms were filled almost to overflowing with engravings, vases, pieces of statuary, and miscellaneous, ill-assorted curios of every kind presented to the owner by his admirers.

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[1] Webster to Haven, September 29, 1852, National Edition, XVI, 665.

[2] Webster wrote to Everett, May 12, 1843, "I am building a room for a library at Marshfield; shall there collect my books, and regard that place as home for the present." (National Edition, XVIII, 173.) Going down to Marshfield on September 16, 1843, Julia wrote in her *Diary*, "The house is so altered it scarcely looks like the same place. The old kitchen where I have had many a frolic . . . is turned into a breakfast room; where the old dairy was, is a new kitchen, pantry; all the old wooden mantels are replaced by white marble, and new paint and paper, new doors and windows, make quite a modern house of it." (MSS. *Diary*.)

[3] "Reminiscences of Henry A. Baker," *Boston Herald*, October 24, 1909.

Daniel Webster was no "gentleman farmer." "The farmer's vocabulary," said Professor Sanborn, "was as real to him as the technicalities of the law." He watched the agricultural operations with the most searching scrutiny, and, even when he was absent in Washington, he followed proceedings through active correspondence with his agents. For the enrichment of the sandy soil, he experimented with menhaden — a kind of herring, too oily for food, which could be taken by the barrelful in seines off the coast during July and August, and spread over the land as manure.[1] Seeking a direct access to the shore, he joined with his neighbors in constructing a causeway across the salt marsh, with a bridge over a small creek; and along this in the summer load after load of fish would be drawn. Later he tried the kelp, or rockweed, which, after a storm, would be thrown up in huge quantities on the beach. There were times, following an easterly gale, when a hundred and fifty teams would be drawing masses of kelp to spread on the potato fields. Unlike menhaden, it had an agreeable odor and brought with it no weeds; and Webster thought it as efficacious as thrice its bulk of ordinary barn manure.

Through sheer persistence, Webster was able to make the

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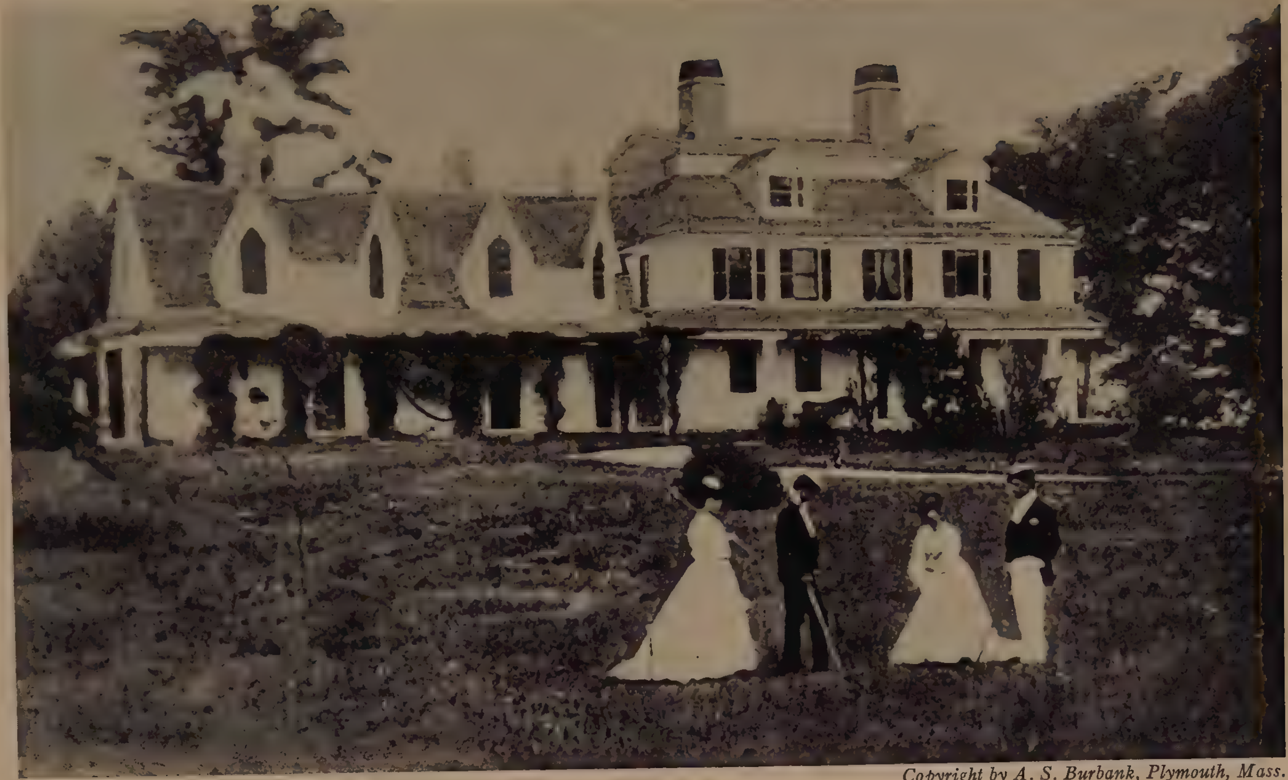
[1] Lyman, who saw a school of menhaden in August, 1844, said, "Millions of fins were protruded above the surface, making the bay resemble an extensive marsh covered with water, when the growing grass appears above it." (Lyman, II, 123, ff.) Webster, who called them "Marshfield roses," because of their odor when spread on his fields, estimated that one fish was equal to a shovel of common manure, and told Lyman that it was not unusual to take five hundred barrels at a single haul.



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THE WEBSTER HOUSE AT MARSHFIELD

farm land increasingly productive, although he probably never showed a book profit for any given year. In his first season he had only fifteen tons of hay, but by 1851 he was harvesting 400 tons of hay, 800 bushels of corn, 1000 bushels of potatoes, 500 bushels of oats, 500 bushels of turnips, and 400 bushels of beets. There were periods when he talked of economy, but he could never conquer his instinct for doing things in a big way and on a large scale. "We want no penny-royal crops," he said, when his overseer spoke of saving money. He could not resist the desire to try new methods, even though they were expensive. In 1851, for example, he wanted to spread guano on his wheat fields. "I should like to try guano at the rate of three hundred pounds to the acre," he wrote, "against ashes at the rate of two hundred bushels to the acre."[1] He made an exhaustive experimental study of rotation of crops, endeavoring, as he said, to obtain "constant production without exhaustion." He even ventured into the chemical analysis of soils, testing the value of lime and carbonate of magnesia.[2] His naïve pride in the appearance of his estate was one of his weaknesses. "If you plant corn at the head of the avenue," he wrote to Wright, "make the land rich so that people may stare."[3]

Webster's orchards were famous throughout the Old Colony section of Massachusetts. To the younger farmers around him, he gave the advice, "Plant trees, adorn your grounds, live for the benefit of those who shall come after you." He set out more than three thousand fruit trees, and he wrote to President Fillmore, "There are several hundred thousands of trees here, which I have raised myself from the seeds."[4] He tested many varieties of exotic trees, to determine whether they were adapted to Massachusetts soil and climate. The charm of Marshfield to-day lies very largely in the spreading elms and tall pines, many of which have sprung from seedlings planted by Webster. He did not care much for formal gardens or smoothly clipped lawns or neatly cut hedges. It was the larger and rougher aspects of nature which he enjoyed most, and the huger trees — the great oaks and elms — which brought peace to his soul.

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[1] Webster to Wright, November 13, 1851, National Edition, XVIII, 487.

[2] For an interesting conversation between Webster and Lyman on the subject of crop rotation, see Lyman, II, 100, ff. "It is my aim," he said, "to get a good crop every year, and in such a manner that the land shall be growing better and better." He was particularly impressed by what he was told in England regarding the system followed there; and he stressed the importance of turnips, which, he declared, "give to the land almost as much as they take from it."

[3] Webster to Wright, March 22, 1852, National Edition, XVIII, 518.

[4] Webster to Fillmore, July 23, 1851, *Ibid.*, p. 453.

Webster was particularly interested also in livestock, especially in blooded cattle. He imported from England some of the finer breeds and watched them with affectionate care. Always on his arrival in Marshfield from Washington or Boston, he would toss his traveling bag into the vestibule and hurry to his spacious barn to examine his oxen, of which he would sometimes have more than a hundred. His men used to declare that the beasts knew him when he came. Once, while he was feeding them with ears of corn, he said to Fletcher: "You do not seem, my son, to take much interest in this; but, for my part, I like it. I had rather be here than in the Senate. I think it better company."[1] He was never happier than when he could write, "The barns are crowded full of hay and grain, the fields have quite an English green about them, and the cattle are up to their knees in fresh grown grass."[2] He tried to get the finest breeds of swine and sheep, and, at one period, had splendid flocks of Leicesters and Southdowns. He was as proud of his great ram "Goliath" as he was of his Plymouth Oration. An inventory by his overseer, Porter Wright, in 1852, showed seventy-five cattle, seventy-five sheep, and twenty-five hogs, to say nothing of a herd of llamas from Peru which fed in the pastures with the sheep.

Always a good judge of horses, Webster had his favorites which he drove when he was at home. On Gotham Hill, not far from the homestead, was their cemetery, where they were buried "with the honors of war," standing upright, with their halters and shoes on. For one of them, a tireless roadster named "Steamboat," he erected a monument, with the following inscription: —

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[1] Harvey, 277.

[2] Webster to Blatchford, September 15, 1851, National Edition, XVIII, 472.

HIC JACET
EQUUS CELEBERRIMUS
DANIEL WEBSTER'S
"STEAMBOAT," VOCATUS
OBIT NOV. 3, 1838
SISTE, VIATOR, MAJOR TE VIATOR HIC SISTIT![1]

One of his unfailing satisfactions in his last days, when walking became burdensome, was driving over his estate with a companion, lingering here and there to chat with a workman or to gaze at a lovely vista.

Once back in Marshfield, Webster did little reading, but spent most of his time in the open air, and was a devotee of fishing and hunting. His boats, with which he was well supplied, were moored at the mouth of Green Harbor River, two miles from his house, in charge of Seth Peterson, — whom Webster called "Commodore," — a shrewd, good-natured lobsterman, who looked picturesque in his faded red flannel shirt and patched corduroys and was christened by Lanman "the Ancient Mariner of Marshfield."[2] It was he whom Webster immortalized in his Saratoga Speech, on August 19, 1840, when he described him as "sometimes farmer and sometimes fisherman on the coast of Massachusetts" and recounted the arguments against the reduction of wages in the United States advanced by him, "while pulling an oar with each hand, and with the sleeves of his red shirt rolled up above his elbows."[3] It was Peterson who, for many years, accompanied Webster for fishing excursions on his yachts, the *Lapwing* or the *Calypso* or the *Comet.* The equipment in tackle and provisions was always complete and ready at a moment's notice. Lyman left a record of such an expedition in August 1844, when, at the fishing grounds some eight or nine miles offshore, Mr. Blatchford and Mr. Tileston, two of Webster's guests, had a competition for cod and haddock, the former catching seventy-one and the latter fifty-seven.[1] Such trips as these were frequent during the summer, and all Webster's guests were likely to be entertained in this fashion. "The commodore . . . came in to-night with a noble halibut," he wrote, "and a fare of the largest cod ever remembered to have been brought into the river."[2] Whenever there was a good catch, his neighbors were surprised by a gift of mackerel or tautog.[3]

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[1] The epitaph, translated, reads, "Traveller, pause; a greater traveller than you stops here!" See "Daniel Webster's Horses," a poem by Elizabeth J. Coatsworth, of Hingham, Massachusetts, reprinted in the *Boston Evening Transcript* for November 23, 1929, ending with his words: —

"Bury them on their feet
With bridle and bit.
They were good horses,
See their shoes fit."

[2] Webster wrote to Weston, July 16, 1842, "You know I always like to give employment to Mr. Seth Peterson, when he needs it, as he has many mouths to feed." (National Edition, XVIII, 139.) See Lyman, II, 60–61.

[3] In his remarks, Webster said that Peterson was fifty years of age, one of several sons of a poor man, and added that "by his labor he has obtained some few acres, his

In his younger days, Webster was a devotee of brook fishing and waded most of the streams and pools on Cape Cod. "He was a first-rate trout fisher," said Seth Peterson. "I never saw anybody so smart at taking a trout from his hole."[4] One of his constant companions on his trips was a local angler, commonly called "John Trout," — although his real name was Denison, — a quaint character who could cast a fly with great skill. It was "John Trout" who made for Webster the famous trout rod, "Killall," and with the coming of spring helped him to tie his flies. In an undated letter to Henry Cabot, Webster describes with elation his adventures on a long day of fishing in "the chief of all brooks, Mashpee," during which he landed twenty-six trout, the largest weighing two pounds, four ounces. His success was due, he felt, "to *careful* and *thorough* fishing of the difficult places which others do not so fish."[5]

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own unencumbered freehold, has a comfortable dwelling, and plenty of the poor man's blessings." (National Edition, III, 28.)

[1] Lyman, II, 125–26.

[2] Webster to Fletcher, May 2, 1849, National Edition, XVIII, 321.

[3] Webster wrote Fillmore, July 23, 1851, "I caught thirty codfish to-day, weighing from eight to twelve pounds each, and as the boatmen were also fortunate, we brought home a fare which astonished our neighbors." (National Edition, XVIII, 452–53.)

[4] Curtis, II, 664, note.

[5] National Edition, XVI, 677.

Webster was also a competent shot and frequently hunted woodcock and wild duck as well as yellowlegs, plover, and snipe. "When he went out gunning," said Peterson, "he'd keep out as long as he could see a bird, and walk, sometimes, fifteen miles a day."[1] Shooting over a preserve, which he did in England, seemed to him a tame sport compared with hunting on Cape Cod. He does not seem to have been fond of dogs, but he owned a setter named Rachael, whom he had brought back with him from England, and who accompanied him after quail and plover. His shotguns, all single-barreled and worked by flintlocks, were given whimsical names, such as "Mrs. Patrick" and "Wilmot Proviso." It was the practice among sportsmen in those days to blow the smoke from the barrel after each discharge, and, after a few shots, the hunter's complexion was likely to be much blackened. Once at Chelsea Beach, Webster, aiming at a flock of low-flying birds, fired and hit a man who had been standing unnoticed on the beach. With his face and hands begrimed with powder, Webster rushed up and asked solicitously, "My dear sir, did I hit you?" The victim, still rubbing his shoulder, said ruefully, "Yes, you did hit me; and from your looks, I should think that I am not the first man you have shot, either."[2]

Once, at the close of a long day's hunting, Webster came to the Green Harbor River and beckoned to a laborer on the opposite bank to leave his work and ferry him across. As the flat-bottomed boat was being rowed to the other shore, the man was driven by curiosity to say, "This is Daniel Webster, I believe." "That is my name," was the reply. "Well, now," said the farmer, "I am told that you can make from three to five dollars a day, pleadin' cases up in Boston." "Sometimes as much as that," answered Webster modestly. "Well, now," continued the ferryman, "it seems to me, I declare, if I could get as much in the city pleadin' law cases, I would not be a-wadin' over these marshes this hot weather, shootin' little birds."[3] Anecdotes of this kind delighted Webster, who loved to recount them with dramatic gusto in Washington drawing-rooms.

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[1] National Edition, XVIII, 520, 523, 526; XVIII, 210.

[2] Harvey, 294.

[3] *Ibid.*, 292–93.

Occasionally, in the wilder sections of Cape Cod, there were deer, and more than once Webster killed his buck after wandering for miles through the forest.[1] Nothing made him happier than a day in the open, even though his luck might be poor. But for the recreation and exercise which these expeditions afforded, he could never have renewed his physical strength from one Congressional session to another.

By taking pains Webster was able to domesticate wild geese on the small lake northwest of his house. He built small sedgy islands, like those to which the birds were accustomed at their Northern breeding places, and thus lured them to the pond, where they made their nests quite undisturbed. At various places on the estate were also guinea fowl, peacocks, and Chinese poultry, besides the ordinary varieties of wild duck which constantly flew over the marshes. Webster particularly requested Lyman not to kill the quail which had been reared on his land.

A close observer and a zealous naturalist, Webster even planned a volume to be called "The Natural History of Marshfield," and made certain preliminary notes on such matters as the differences between canvasbacks and redheads and the food of geese. Audubon, the great ornithologist, was more than once his guest, and to him Webster sent not only a brace of Labrador ducks (now extinct), but also the famous Canada goose from which the drawing for *Birds of America* was made. Audubon sold a copy of this gigantic work in double elephant folio to Webster for a thousand dollars and had much difficulty in collecting the money. When the naturalist once in Washington extracted one hundred dollars on account, he placed an exclamation mark after the entry in his *Diary* and added, in his weird spelling, "Mr. W. would give me a fat place was I willing to have one; but I love indipendence and piece more than humbug and money!"

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[1] See an article, "An account of a Deer Hunt in Plymouth Woods with Daniel Webster in 1843," by G. F. W., in *Forest and Stream*, Volume XVI, p. 31, 1881. In November 1844, Webster wrote Paige, "I send you some venison. It was killed on Thursday." (National Edition, XVIII, 194.) For still another deer hunt, in October 1842, see Lyman, II, 73–78. Such an expedition was always prefaced, on the preceding evening, by Webster's declaration that "a stag must die."

At Marshfield, Webster lived like an English country squire, dispensing the most lavish hospitality and entertaining every summer scores of guests, for whose comfort and pleasure he was always sedulous. Each morning he was up before sunrise, walking around the grounds as the stars faded and watching his overseer, Baker, as he and his men fed the cattle.[1] He then shut himself up in his library, where, often by candlelight, he attended to his large correspondence. This was his period of hard work, and many of his letters were dated "6 A.M." or "before the dawn."[2] Breakfast was a sumptuous and leisurely meal, at which plans for the day were discussed and settled. During the morning, he was often out among his farm hands, sometimes guiding a huge plough himself, sometimes actually pitching hay in the meadows. Dinner, usually at four but occasionally later, was followed by a short drive, and then by a game of whist, which he enjoyed, but not inordinately. He cared nothing for other indoor games, such as chess, checkers, or billiards, preferring rather to recline in his great leather chair, listening to the conversation and occasionally putting in a word in his deep decisive voice. He seldom remained up later than ten o'clock. There were, of course, many days devoted to fishing or hunting, when this routine programme was disregarded.

Like a modern Sir Roger de Coverley, Webster had his faithful retainers, to whom he was devoted. In the palmy days of Marshfield, the chief overseer was Charles Porter Wright, a grave and reticent young man, who had been employed on the place since his youth and knew every square yard of land upon it. With him, Webster, when away from Marshfield, carried on an extensive correspondence, addressing him always as "Porter Wright" and giving him detailed instructions regarding planting and harvesting. Although he treated Wright as if the two were brother farmers, he held tenaciously to his own opinions and did not hesitate to make decisions himself and adhere to them, even in opposition to Wright's counsel. Webster was invariably thoughtful of his employees, and once, when Wright was indisposed, wrote to him: "In the first place keep up good courage. Do no work. Be as lazy as you can. Make somebody else look after the workmen. Go, with your wife, on some little journey. Think of nothing but your health."[1]

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[1] See especially Lydia Taylor's account of Webster's habits in Curtis, II, 662, note: "He used to get up before anybody else, at four o'clock often, and he liked to light some of the fires. . . . He knew all that was going on everywhere; he would come out to the kitchen and talk to us, and he liked to sit down in Mrs. Baker's room before the great fireplace in the evening, and have the men in from the farm and inquire about the work, and explain to them his ideas."

[2] Lyman, II, 112. Before settling down at his desk, he would eat some coarse rye or Indian bread, which he had toasted dry and hard by putting it on a shingle in the oven.

His housekeeper was Mrs. Baker, sister of John Taylor, who was Webster's right-hand man at The Elms. She was a stout, plain-featured woman, but very good-natured and remarkably efficient. Her sister, Lydia Taylor, had lived at Marshfield almost since the advent of the Websters, and her husband was one of the subordinate overseers.

Among the domestic servants, the most picturesque was the Negro cook, Monica McCarthy, whose freedom Webster had purchased for six hundred dollars from a Federal Judge in Washington. Although she had been warned that her wages would be credited against the sum for which he had bought her, Webster paid her regularly, and, at the time of his death, she had more than two thousand dollars in the savings bank.[2] Monica became a favorite with the family. Mrs. Webster taught her to read and write, and she attended the Methodist Church with great faithfulness. Two other colored women, Sarah Smith and Ann Bean, had also been long in his employ, and were mentioned with Monica in his will as "well-deserving."[3] His valet was a colored man, William Johnson, whom Webster had also emancipated. Towards these retainers,

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[1] Webster to Wright, May 1, 1852, National Edition, XVIII, 527. Wright, born in 1814, was still alive in 1905.

[2] Harvey, 310, ff.

[3] National Edition, XIII, 590.

Webster's attitude was that of a feudal overlord, charged with responsibility for their welfare and requiring and receiving in return a devoted loyalty. No master could have been more considerate than he. He liked to see familiar faces around him, and their dependence on him was a sure guarantee of his generosity.

Towards his farmer neighbors, Webster behaved unostentatiously and tactfully, with that simplicity so characteristic of really great men. When he first took up his residence there, he told them, "I have come to live among you as a farmer, and here I talk neither politics nor law." Charles Henry Thomas, known as "Henry," was the eldest son of Captain Thomas, from whom Webster had purchased Marshfield; and Webster referred to him in his will as "always an intimate friend, and one whom I love for his own sake and that of the family." Thomas, who lived on a small farm near Green Harbor, was frequently employed by Webster on special missions. Seth Weston, the local carpenter and town selectman, was a particular favorite, often summoned to Marshfield for repair work; and there were periods when he was apparently given general charge of the estate during Webster's absence. Webster consulted him frequently on business matters and sent him detailed directions regarding necessary improvements. "Keep writing," he said to Weston. "One letter about farming is worth ten upon politics."[1] Another friend was Captain Hewitt, a retired mariner who had bought land adjoining Webster's property and who once said of him, "He was sociable with everybody, and he was loved by everybody. . . . He was the kindest neighbor in the world." To these people, Webster was constantly making presents. He shared with them what he had learned about scientific agriculture, and let them have, at prices ridiculously low, some of his best-blooded cattle and sheep. It seemed to be his aim to improve, not only Marshfield, but its entire vicinity.

Webster loved Marshfield with an enduring passion. The Pilgrim traditions with which the spot was associated; the unceasing charm of marsh and riotous ocean; the fragrant breath of pines and salt air — all these had for him an attraction which he could not resist. ' "We came up from the place of places three days ago," he wrote in June, 1847; and, throughout his busy winters in Washington, he was looking forward to the hour when he could once more be back at Green Harbor, free from office-seekers and politicians, among his oxen and his friends. "Think of us at Marshfield," he wrote, "on our piazza, with now and then a grandchild with us, a pond near, where 'cows may drink and geese may swim,' and Seth Peterson in his red shirt sleeves, in the distance." And it was a sad moment when winter came on, and the family were obliged to leave. Going down to the mouth of the river in early December, just before returning to Boston, Webster wrote, "The marshes are all covered, there was not a breath of wind, but the sea looked cold and blue. . . . I have taken my last look at Marshfield, out of doors, for the season, and, not without reluctance, give it all up for toilsome law and wrangling politics. I am thankful for the past." Fortunately, he had always faith that, though winter had come, spring could not be far behind, and that he would soon return to "the old elms and the sea."

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[1] Webster to Weston, February 18, 1842, National Edition, XVIII, 115.

An irresistible temptation led him to develop the family home at The Elms into a prosperous stock farm. Until 1829, the property was controlled and managed by Ezekiel Webster, through an agreement between him and his brother. After Ezekiel's death, however, Daniel bought it, and, with his customary enthusiasm, proceeded to enlarge its area. His overseer was the inimitable John Taylor — a titanic figure, nearly six feet five inches in height, with a genuine Yankee shrewdness and reticence. To him, as to a respected and beloved associate, Webster wrote a long series of letters, and he spoke of him in his will as "that true man, John Taylor." Because the land was particularly adapted to grazing, Webster kept there herds of Devon, Ayrshire, and Hereford cattle. One magnificent meadow filled more than a hundred acres. Here he seemed to find relief from his summer catarrh, or hay fever, and he frequently sought refuge there in the early autumn, when it was most beautiful. He wrote in October 1850, "The row of maples, by the side of my field, for half a mile, shows like a broad line of burnished gold; and the side-hill, west of the house, displays every possible variety of tint, from the deepest and darkest evergreen to the brightest orange."[1]

In 1835, when Webster's affairs were more prosperous than they ever were later, he bought, through his brother-in-law, Israel W. Kelly, a considerable strip of pasture adjacent to The Elms.[2] At about the same period, he arranged for the renovation of his father's house so that it might be ready for his occupancy at a moment's notice. He gave particular instructions that his mother's flower garden should be kept up just as he remembered it. That he had also acquired other New Hampshire real estate is evident from certain letters written in 1836, in which he speaks of selling his "McMurphy farm," and from his first will, drafted in the same year, in which he refers to "my land in Derry, New Hampshire."[3] He eventually controlled over a thousand acres, on which, in 1851, there were more than a hundred head of cattle and nearly five hundred sheep. His original interest in The Elms was doubtless sentimental, and he enjoyed revisiting the scenes of his childhood; but it soon became a more practical venture, — a place where theories of agriculture could be tried out. Frequently he sent down oxen from The Elms to Marshfield, in charge of John Taylor, and he always showed an astounding familiarity with their points.[4] He tried to cultivate a healthful rivalry between his two overseers, writing to Taylor, "Porter Wright will do his best to beat you. But you have the best land."[5]

No part of Webster's correspondence is more interesting than the notes written to John Taylor, filled, not only with comments on farming, but also with disquisitions on life in general. He quoted passages from "Mr. Virgil," the eminent Roman agriculturist, and asked Taylor whether the lines did not remind him of his "Durham oxen, smoking from heat and perspiration." Absentee owners are likely to be the dupes of their managers; but no one could deceive Webster on problems connected with Marshfield or The Elms. Whenever an ox died or a sow had a litter of pigs, Webster had something to say. He kept an attentive eye on even minute details, asking Taylor to have dry wood ready for "chip fires," to get his boat on Lake Como in readiness for use, and to bring samples of new potatoes down to the Revere House for examination. Taylor himself, in letters which were quaintly spelled but full of loyalty, responded in gossipy reports. Writing on the last day of 1851, he said, "I shall take good care of my family. I shall take good care of myself. I shall take good care of every thing which Mr. Webster intrusts in my care."[1] More than once Webster digressed in his letters and poured out his real emotions to the shrewd New Hampshire Yankee. Writing in the spring of 1852 to tell Taylor to proceed with his planting, Webster said: —

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[1] Webster to Blatchford, October 22, 1850, National Edition, XVI, 574.

[2] Webster to Kelly, January 29, 1835, *Ibid.*, pp. 249–250

[3] National Edition, XIII, 554.

[4] Webster to Wright, August 26, 1851, National Edition, XVIII, 466–67.

[5] Webster to Taylor, March 17, 1849, *Ibid.*, p. 307.

> You and I are farmers, we never talk politics; our talk is of oxen; but remember this; that any man who attempts to excite one part of this country against another, is just as wicked as he would be who should attempt to get up a quarrel between John Taylor and his neighbor old Mr. John Sanborn, or his other neighbor Captain Burleigh.[2]

During his visits at The Elms, — which were seldom prolonged beyond a week or two, — Webster seemed absolutely care-free. George W. Nesmith once described an expedition to Webster Lake in 1851, when Webster, hearing that the ducks were flying, harnessed the old horse, Tom, at four in the morning and drove with him and John Taylor to his boathouse. They killed two large sheldrakes, of beautiful plumage, and then cooked breakfast over an open fire, making a glorious fish chowder and eating one of the birds broiled on the coals. In certain moods he liked to lie on the sofa, looking out at the droves of cattle and listening to village gossip. "After all," he wrote in the summer of 1848, "this is the very sweetest spot in the world."[1] In 1850, he said to Harvey, "How happy I am here! This is where I breathe my native air. I am in better health here. There is something in the air that invigorates me; disease does n't seem to flourish here."[2] He found himself with companions of his boyhood, among elderly men and women who had once been his playmates at school and who still called him "Dan'l." As he drove with Blatchford or Lyman to the Punch Brook Pasture or the Center Village or Lake Como, he would talk reminiscently of the familiar landmarks. In the summer of 1852, just before his death, he took a last ride over the Salisbury hills. "He was personally acquainted with almost everybody we met," said Lanman, "and not only did he stop and exchange a word of kindness with his old friends, but he also bade me pull up the horses whenever he met a party of little children going to school or gathering berries, so that he might lovingly inquire their names and ask after their parents."[3] With his amazing memory, he seldom forgot a face, and he was always glad to greet his neighbors, even when they called merely to shake his hand or to talk about "harvest time and mowing."

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[1] Taylor to Webster, December 31, 1851, National Edition, XVIII, 502–3. In this letter Taylor thanks Webster for the gift of "a large basket of canvasback ducks and a large turkey."

[2] Webster to Taylor, March 17, 1852, *Ibid.*, p. 516.

Until 1846, The Elms was comparatively isolated, and the trip there from Boston was a somewhat arduous journey, not to be undertaken lightly. In the summer of 1847, however, the new railroad was continued up the Merrimack River, and the ties were laid directly across Webster's land, through the site of his woodshed and only fourteen feet from the corner of his house. A station called "Webster" was established there, and he found that the trip to Boston was shortened to only three hours. He wrote to Blatchford, "It is easier to slip down to Boston and back, than it is to slip up from Marshfield."[4]

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[1] Webster to Fletcher, July 19, 1848, National Edition, XVIII, 282.

[2] Harvey, 245.

[3] Lanman, 64.

[4] Webster to Blatchford, March 11, 1849, National Edition, XVIII, 306.

But with all its convenience, it made him more easy of access to the outside world, and a throng of curious people invaded his isolation. Sometimes there would be a dozen wagons around his dwelling, and he, though far from well, was too courteous to dismiss them without entertainment. After the Seventh of March Speech, when Webster's excited and exhausted brain needed quiet, the physician warned him that he must avoid company, and, when he went to The Elms, John Taylor was instructed to act as guardian. After luncheon, Webster lay down on the sofa and, for once, had a refreshing nap. When he awoke, he called loudly, "John Taylor, come up here!" "Squire," said Taylor, going upstairs, "you have slept longer than you have before since you came up here." "Well," asked Webster, "how goes it with the company? Have you had occasion to use the poker?" "Yes, squire," was the reply, "seventeen souls are done for and two thirds of them are crippled for life!"[1] There were days when, in despair, he drove secretly away to the White Mountains and took refuge in some secluded tavern, leaving his callers to wonder where he could have vanished.

Webster's trusted friends at Franklin were Parker Noyes and George W. Nesmith, who practised law in the office where he had once been a student under Thomas W. Thompson. On these gentlemen he relied whenever any matter of local business had to be transacted, and Taylor was instructed to advise with them whenever he was in perplexity. Sometimes Webster entertained a considerable group of guests at The Elms. Harvey gives a graphic description of a dinner in the autumn of 1850, at which a complete reconciliation was effected between Webster and his inveterate enemy, Isaac Hill. Fifty or sixty of the leading citizens of New Hampshire, including Franklin Pierce, were present, and the gathering, although composed chiefly of Democrats, was friendly towards Webster. It was a plain, nicely-cooked country dinner, with a leg of mutton, a roast of beef, and roast chickens, all grown at The Elms. When the plates had been removed, Webster made a brief speech, — described by Harvey as "one of the most touching and beautiful ever made, even by him," — in which he referred, with deep emotion, to the scenes of his early life, and said that, after having passed through a political quarrel, he always turned his steps to the hills of New Hampshire and especially to the graves of his parents and the house in which they had lived.[1]

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[1] *Harvey*, 296 ff. See also Webster to Edward Curtis, October 24, 1850, National Edition, XVIII, 397.

Webster's will left The Elms in trust for Fletcher, and after his death his two sons, Ashburton and Daniel, Jr., were to have it and Marshfield. The Elms was then without encumbrance except a life interest to which Caroline LeRoy Webster was entitled. Some years later it was necessary, because of financial stringency in the Webster family, to dispose of The Elms, which became, in 1871, the property of the New Hampshire Orphans' Home.[2] That institution is still flourishing and has wisely kept the Webster house in its original condition.

In addition to Marshfield and The Elms, Webster also made large purchases of land in the West, mainly, it is supposed, for speculation. In the spring of 1836, feeling prosperous, he dispatched Fletcher as his agent into the Ohio and Mississippi valleys, with instructions to buy whatever he thought to be desirable. From one of Webster's letters we learn that Fletcher secured about eight hundred acres "in the Kalamazoo country,"[3] and he later acquired some of the public lands placed on sale in Wisconsin. In the draft of his will prepared in November 1836, Webster mentioned property in "lands, city lots, Companies, Corporations, &c, in Michigan, Ohio, Indiana, Illinois, & Wisconsin,"[4] a reference which indicated that Fletcher had been active.

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[1] This dinner took place on October 25, 1850. Harvey, who was present, gives a delightful account of the affair in his *Reminiscences*, 243–53. Pierce made a speech which was "fiery, eloquent, and rather extravagant," in which he referred to Webster as "the greatest man, far the greatest man, that was ever born on this continent, and, I verily believe, on any continent."

[2] At its dedication, October 19, 1871, Judge George W. Nesmith, of Franklin, one of Webster's friends, made the historical address.

[3] Webster to Fletcher, June 25, 1836, National Edition, XVIII, 20.

[4] National Edition, XIII, 554. Kennedy, in *The Real Daniel Webster*, says that Webster employed Abraham Lincoln to search the titles to land in Sangamon County, Illinois.

There is ample evidence that Webster borrowed heavily in order to complete these transactions, and the panic of 1837 left his affairs very much involved.' In 1836, on his own admission, he was virtually free from debt, but in the autumn of 1838 he wrote Edward, "I owe a good deal of money."[1] His special fancy was a farm of about one thousand acres, which he called Salisbury, and which was located not far from La Salle, Illinois, in what is now one of the richest sections of the state. Doubtless Webster had in mind an occupation for Fletcher, for he arranged to have the latter and his young wife occupy a house on the premises. In March 1838, Webster engaged N. Ray Thomas, son of the former owner of Marshfield, as his manager, and sent him to Illinois with copious instructions, indicating his wish to have "a very large farm," from which he might realize an income, and ordering him to carry on agriculture "with economy and to the best possible advantage."[2] Thomas was to receive a salary of two thousand dollars a year and his traveling expenses, and was to be allowed a considerable sum for stock, tools, and other supplies. For some years an attempt was made to follow out Webster's wishes, and the Fletcher Websters lived there without any enthusiasm. The project went on the rocks with the unexpected death in 1840 of Ray Thomas, who was in Washington on his way to La Salle. During his illness Webster was most assiduous in watching over him, and nursed him as if he had been his own son.[3]

The later history of Webster's Western properties is difficult to trace. He had in him something of the exuberant optimism of Colonel Mulberry Sellers, and he was always expecting these lands to make his fortune. In 1849, he wrote to Caleb Cushing, "I have a quantity of real estate in the West, which I think valuable," and, in mentioning it a few weeks later, he added, "It has cost me an immense sum of money, and, from all the accounts I have, I believe it could be made of great value."[4]

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[1] Webster to Edward, September 21, 1838, National Edition, XVIII, 40.

[2] Webster to Thomas, March 5, 1838, National Edition, XVI, 295 ff.

[3] See Webster's letters to Mr. and Mrs. Charles Henry Thomas, National Edition, XVI, 316 ff.

[4] Fuess, II, 85–86.

In November of that year, Webster deeded to Cushing more than six hundred acres in Illinois, called "the town-plot of 'Rock Island City,'" but, on investigation, Cushing discovered that the land did not have a clear title and was of no value except for agricultural purposes. It is now in the very heart of a prosperous urban and suburban community. In his last will, Webster mentions no Western property except "a quantity of land in Illinois, which ought to be immediately seen after."

As a speculator in land, Webster was unsuccessful, as, indeed, he was in most of his investments. But as a farmer he is seen at his best. Whatever he may have been in State Street, he had at Marshfield a dignified simplicity, as if he had shaken off the sordidness and pettiness of politics and reverted to the natural business of man. One finds in him strange contradictions which cannot be reconciled except on the assumption that his was a comprehensive soul. The representative of bankers and manufacturers, he found his chief delight in agriculture. Identified with industry, he was nevertheless genuinely agrarian. He loved Nature in her elemental aspects; he wanted to smear his hands with the soil and to roam the forests where human feet seldom trod. Webster always gave the impression of greatness, but he was never greater than when, after a winter of tariff making and law suits, he became once more the Farmer of Marshfield.

XXX

THE LAST OF EARTH

Gone! We are like old men whose infant eyes
Familiar grow with some vast pyramid;
Even as we gaze, earth yawns, and it is hid.
A long, wide desert mocks the empty skies.
— Charles Graham Halpine (Private Miles O'Reilly)

It is almost as if we should imagine that the great river of life, when near its termination, should turn again to its source, or that the descending sun in the heavens should stop again in its course.
— G. J. Abbott, October 16, 1852

Webster's friends, loyal even in defeat, had arranged for him one more splendid reception in the Boston which he loved. He spent the night of July 8, 1852, with Samuel Hurd Walley, in Roxbury. The next day was insufferably hot, the temperature rising officially as high as ninety-six degrees; and the ceremonies were hurriedly postponed until the late afternoon. Shortly after four o'clock a gorgeously accoutred military escort met him at the Roxbury line. He was in an open barouche, drawn by six gray horses, with Fletcher and Franklin Haven[1] by his side, and he repeatedly removed his tall beaver hat in recognition of the cheers which greeted him along the route.

Long before its destination was reached, the carriage was filled with thousands of flowers thrown by the spectators. Houses were decorated with flags and banners; pictures and busts of Webster were in countless windows, and the dense throngs went into ecstasies as they saw the familiar face.

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[1] Franklin Haven (1804–93) became, in 1837, the second President of the Merchants' Bank, in Boston, and held that office for more than fifty years. His financial backing was of much service to Webster, who entrusted him with confidential missions and relied upon his advice.

The procession passed through most of the important streets in the heart of the city, finally entering the Common through the Charles Street gate, at the foot of Beacon Hill. About halfway between Boylston and Beacon Streets a broad platform had been erected, with elevated ground directly in front of it. Along the base of the slope were troops of infantry drawn up in line, and, behind them and higher up, a mass of humanity, waving handkerchiefs and shouting incessantly. People who remembered the reception to Lafayette in 1825 declared that Webster's greeting was even more impressive.

When Webster's physician had expressed a fear that the excitement might harm him, he replied, "I feel as able now to make a speech of two hours' duration as ever I did in my life."[1] And indeed he did seem extraordinarily robust and active. Buoyed up by the occasion, he spoke for approximately half an hour, and his full voice could be heard a long distance. It was an informal address, enlivened by reminiscences and evincing an affectionate pride in Boston and in Massachusetts. His only reference to the Whig Convention was in a sentence or two in which he said that it had not been his good fortune to be a "successful military chieftain," but that he was "nothing but a painstaking, hard-working civilian" — the irony of which remark was not wasted on his audience. When he sat down, exhausted by his exertion, the crowd gave him nine long cheers. Even after he had gone to the Revere House for a rest, the throng gathered in Bowdoin Square and shouted until he came out on the balcony and said a few words.

The New England Whigs were lukewarm towards Scott. Robert C. Winthrop presided over a ratification meeting in Faneuil Hall, but it was a colorless gathering, and there were many empty benches. A week later the same auditorium was packed with Websterians, who, at a "rejection meeting," formally protested against Scott's candidacy, and passed resolutions for a convention of persons favoring Webster. But it was a lost cause. Rufus Choate announced that, although the nominee was not his first choice, he should support Scott;

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[1] Harvey, 445.

and the *Advertiser*, after temporizing, finally decided that Scott was better than Pierce. Under the circumstances, an independent ticket, with Webster at its head, would have had no chance of victory.

After a few days of quiet at Nahant, Webster went for a week to The Elms on what proved to be his last visit to the scenes of his childhood. Pressing business, however, obliged him to return to Boston on July 20, and he was again in the midst of friends and admirers. "My health is a great deal improved," he wrote to Fillmore, "and I think I need nothing but rest." On Sunday, July 25, he went by train to Kingston, the railroad station nearest his home. When he stepped from the car, he was welcomed by thousands of his fellow citizens, and, as he drove the nine miles to his house, the roads were lined with people, all waving him a greeting. Webster, much touched by this demonstration of affection, gave orders that everybody must be admitted to the Marshfield grounds.

On a knoll to the east of the house a wooden platform had been hastily put up, and there Seth Sprague, one of his neighbors, spoke a few simple words. Webster, in turn, made a brief speech, in which he mentioned the fisheries controversy with Great Britain, and then referred to his own affairs in a mood which had a kind of sad solemnity. It was his last address before any public assembly, and it ended, appropriately, just as the sun was setting. . . . When the crowd had dispersed, he walked slowly to his house and threw himself wearily into a chair. As he looked up and saw the portrait of his daughter, Julia, he wept and said, "Oh, I am so thankful to be here! If I could only have my will, never, never, would I again leave this home."

Although Webster was temperamentally optimistic, he was not deceived regarding his condition. In the preceding March, he had written to John Taylor, his overseer at The Elms, "When you look from your eastern windows upon the graves of my family, remember that he, who is the author of this letter, must soon follow them to another world."[1] Peter Harvey,

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[1] Webster to Taylor, March 17, 1852, National Edition, XVIII, 517.

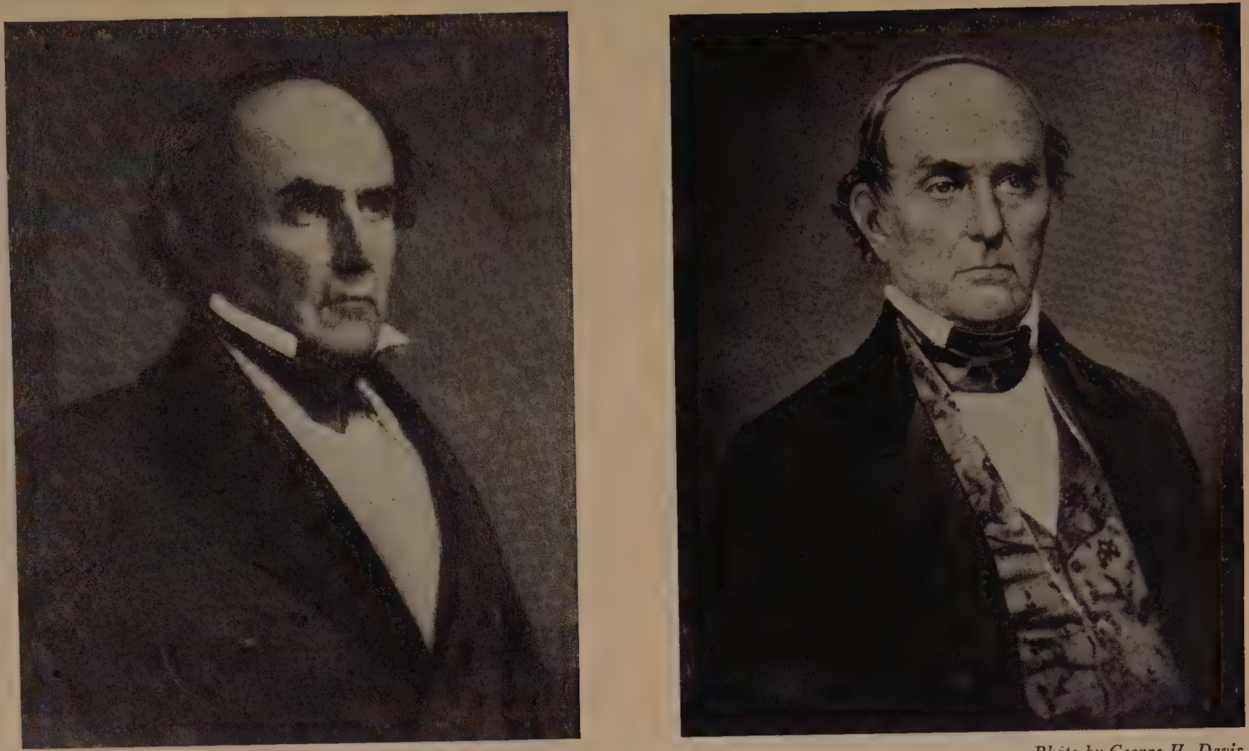

Photo by George H. Davis

WEBSTER IN HIS OLD AGE

From a portrait by Alvin Clark in the possession of the Massachusetts Historical Society

From a daguerreotype belonging to Edwin D. Bayley

who accompanied him on the journey from Washington to Boston, occupied the same room with him at a hotel in Baltimore. Harvey, noticing that Webster bathed his legs with a lotion, commented upon their swollen condition. "That," replied Webster, "is the enemy: don't for the world name this to any human being. I would not like to have my family distressed by such a revelation. It can do no good; and it will come to their knowledge quite soon enough."[1]

Conscious of his debility, Webster planned for the future. Fillmore generously urged him to accept the post of Minister to England, in succession to Abbott Lawrence, and he was tempted by the proposal. But as soon as he was back in Marshfield, he sent the President a positive declination, saying, "I have been accustomed to give instructions to ministers abroad, and not to receive them."[2] A day or two later, when it was clear that he could not spend the summer months in Washington, he pointed out to Fillmore the danger "of complaint and reproof in Congress" if he remained in the Cabinet, and expressed himself as entirely willing to withdraw; but it was plain that he would be glad to continue in office until the close of that administration.[3] The President promised Webster that he need come to the capital only in an exigency, and urged him not to resign.[4] In early August, in response to a call from Fillmore, Webster went south for the last time, remaining about a month and accomplishing a large amount of routine work.

Webster's trip north on September 8 was most unpleasant. At Baltimore, he contracted a cold, and he was ill for a day in New York; but he boarded the Fall River boat for Boston and was able to drive from there to Marshfield in a coach. The diarrhea and catarrh which had been his chronic ailments for so many years now seemed to become acute. He talked of taking a vacation in Canada, but his condition was such that he did not dare to leave his fireside. He wrote, on September 16, to the President, "I have been here now ten days, and have not been off the farm nor scarcely out of the house, except once or twice, when fair and warm weather tempted me to take the sea air. . . . My diet is milk with half lime-water, water-gruel, and sometimes a little thin soup."[1] Daily he became weaker, although there were moments when for a few hours he revived and showed a renewed interest in affairs around him. He received a visit from Professor Felton, of Harvard, and drove with him over the estate, telling story after story and greeting jovially all his employees. When some one inquired for his health, however, he said sadly, "I am not good for much. My strength is nearly gone."[2]

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[1] Harvey, 425–26.

[2] Webster to Fillmore, July 25, 1852, National Edition, XVIII, 543.

[3] Webster to Fillmore, July 26, 1852, *Ibid.*, pp. 544–45.

[4] Curtis, II, 649.

Webster was regularly under the care of Dr. Porter, a physician who resided in the vicinity, but complications warranted the latter in urging his patient to seek more expert advice in Boston. On September 20, therefore, with Mr. and Mrs. Baker, —his overseer and his housekeeper,—he drove to Boston in his own carriage, for the purpose primarily of consulting Dr. John Jeffries, whom he had already seen in the autumn of 1851. Dr. Jeffries found him "so thin that his large eyes had a somewhat unnatural protuberance," and was much alarmed at the symptoms as Webster described them.[3] Webster made his headquarters at Fletcher's house at 2 West Cedar Street, where he received George Ticknor and Peter Harvey, as well as George Ticknor Curtis, and invited Ticknor and Curtis to Marshfield. On that evening he rather unexpectedly called at the home of Mr. T. W. Ward, where he had been asked to attend a dinner in honor of Mr. Thomas Baring. According to Ticknor, "he looked dreadfully, but he had his usual stately air and bearing." For a few moments he chatted cheerfully with Baring, but exhaustion soon compelled him to leave. After he departed, the company were sad and silent, realizing how near he was to death. Never again was he to cross a friend's threshold. On the following morning, a sense of duty drew him back to Marshfield in order to receive Colonel Thomas H. Perkins, who had written to say that he would pay Webster a visit.

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[1] Webster to Fillmore, September 16, 1852, National Edition, XVIII, 553.

[2] Curtis, II, 668. The correspondent of the Charleston *Mercury* wrote from Washington, September 15, "He (Webster) looks very badly and seems to be breaking fast. He probably will not linger long after his great compeers who have recently passed away; and an almost prophetic sadness seems stamped upon his swarthy face, tempering its sullen gloom." (Charleston *Mercury*, September 20, 1852.)

[3] The medical details of Webster's illness were recorded accurately by Dr. Jeffries in a paper entitled *An Account of the Last Illness of the Late Hon. Daniel Webster*, reprinted in pamphlet form from the *American Journal of the Medical Sciences*, for January 1853.

Both Miss Anna Ticknor and George Ticknor left interesting accounts of their excursion to Marshfield on September 23.[1] They found Webster dressed with scrupulous care, in a blue coat and black pantaloons, walking slowly and gravely, and looking "unusually ill." Always the hospitable and thoughtful host, he made plans for the entertainment of his guests. Wearing "a rough, blue overcoat and a white California hat," he was able to drive Mr. Curtis around his estate, and in the evening he enjoyed playing whist with Mr. Ticknor and Mr. and Mrs. Haven. He bore his part in the conversation, telling some good stories and appearing in a cheerful humor. The guests were there for two nights, leaving after breakfast on September 25; and as they rode off, he waved his hand to them, "standing in the doorway as erect, imposing, and majestic a figure as he had been in his better days." But the friends who were departing were sure that they should never again see him alive.

On October 6, there was a consultation of physicians at Marshfield, including, besides Dr. Porter, Dr. Jeffries and Dr. James Jackson, the latter one of the most eminent diagnosticians of his time. After a thorough examination, Dr. Jackson reached the conclusion that the patient "had a mortal disease in one of the great organs of the abdomen." The report made to Webster was that the acute inflammation of the stomach and intestines was being abated; but the doctors insisted on "steady quiet and repose," and he was not encouraged to "hope for any rapid progress of recovery."[2] On October 11, Abbott, then acting as his private secretary, wrote, "It is useless to deceive ourselves. The days pass on, and, with the passage of each, I see a gradual decline."[1] Dr. Jackson reported that the news from Marshfield was much less favorable. Webster remained in bed for longer and longer periods, and the conviction that his death was imminent grew upon him. On Sunday, October 10, he did not even sit up, and in the evening he dictated an inscription for his monument. Five days later he was strong enough to revise and correct it, write it out in his own hand, and attach his signature.

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[1] The two accounts are printed in Curtis, II, 672, ff.

[2] Webster to Fillmore, October 8, 1852, National Edition, XVIII, 557.

Prostrated though he was, Webster did not forget his obligations as Secretary of State, and he kept the President informed every few days of his condition. In the last note which he sent in his own handwriting, the dying statesman said to Fillmore: —

> My dear sir, — I should love to pass the last moments of your Administration with you, and around your council board. But let not this embarrass you. Consider my resignation as always before you, to be accepted any moment you please. I hope God, in His mercy, may preserve me; but His will be done![2]

Webster's critical condition, by a miracle of silence, was long kept out of the newspapers, and the political campaign of 1852 had continued as if he were still active. His friends refused to abandon his candidacy. On October 6, there was a Webster rally in Faneuil Hall, at which George Ticknor Curtis thrilled the audience by his references to his hero's services to the country. The sentiment of the gathering was indubitably in favor of voting for Webster electors, thus voicing a protest from Massachusetts against the action of the Baltimore Convention. Although the *Advertiser* pointed out that this plan would merely aid in the election of Pierce, the Webster "diehards" could not be dissuaded from their purpose until, on October 22, the critical condition of their leader was rumored in Boston. On that evening, the Webster State Committee voted to "suspend all further political action." Within two days, Webster's career was over, and the majority of the Whigs gloomily turned to Scott.

[1] Abbott to Ticknor, October 11, 1852, Curtis, 681–82.

[2] Webster to Fillmore, October 18, 1852, National Edition, XVIII, 560.

Webster himself, however, could not be induced to lend his support to the Hero of Chapultepec, and he predicted that the Democrats would sweep the country. Some of his friends in New York implored him to come out publicly for the Whig nominee; but he dictated to his amanuensis a reply in which, while assuring his correspondents of his regard for them, he declared that such an act on his part would gratify not only them but "that great body of implacable enemies, who have prevented me from being elected President of the United States."[1] He hinted that, within a fortnight, the Whig Party in the United States would become "merely Historical." When Edward Curtis was shown the draft of this communication, he begged Webster not to send it, and the latter prepared a somewhat milder letter of a noncommittal nature. After thinking the matter over, however, Webster, obstinate and unforgiving, decided to stand by his guns, and the original reply was the one which was mailed.

Webster, from the beginning, had been indifferent to the movement for casting the electoral vote of Massachusetts in his favor. His sole wish was to accomplish the defeat of Scott. When George Ticknor Curtis read him a letter from a Boston friend, expressing the hope that Webster would not yield to the importunities of the Scott adherents, the dying man said, "Write to him and tell him to look over toward Charlestown, and see if Bunker Hill Monument is still standing."[2] With this remark, Webster dismissed politics from his mind and went peacefully towards his destiny.

Deprived of the major interests which so long had filled his days, his mind turned towards simple things. One glorious morning, after he had tossed sleeplessly on his bed, he asked to have his finest oxen yoked up and driven by his window where he might have a final look at them, the animals which he really loved the best. On the small pond behind the house, he was accustomed to keep a little boat, fitted with a mast to which were nailed the stars and stripes. By his orders, it was moored at a point where the flag would be visible from his bedside. About three weeks before his death, he instructed his retainer, Hatch, to hang a ship lantern at the tip of the pole, lighting it at six o'clock each evening and taking it down in the morning, as long as he lived. So, from his chamber, Webster could watch the flag waving in the breeze and, even in the darkness, could see the faint yellow glimmer indicating that the banner was still there.

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[1] The New York letter was dated September 24, 1852 (National Edition, XVI, 666–67). Webster's reply was sent on October 12 (*Ibid.*).

[2] Curtis, II, 694.

Unlike Calhoun and Clay, Webster was surrounded during his last illness by devoted friends, who did their utmost to assist his family. George Ticknor Curtis, one of the most faithful, was there on October 19 to take the dictation of his last will and testament, the provisions of which Webster outlined "with the utmost precision, clearness, and fulness." He was naturally much concerned about his complicated financial affairs. The trustees of Mrs. Webster's inheritance had a mortgage upon Marshfield for her entire separate fortune, and it was thus impossible for him to bequeath his farm to Fletcher and his heirs. This was a great disappointment, for he had a strong family feeling, and wished eagerly to have his name and estate perpetuated.

Eventually Curtis, at Webster's wish, went to Boston to inquire of the contributors to the latter's annuity whether they would be willing to continue it to Mrs. Webster after his death. When Curtis informed John E. Thayer, a Boston banker, of the situation, he replied, "Go back to Marshfield and tell Mr. Webster to make any disposition of his landed property that he desires, and his friends will see that his wishes are carried out. I undertake to see it done." Ultimately a fund of $100,000 was subscribed, the income of which was paid to Mrs. Webster until her death in 1882. While Curtis was in the city, Samuel Appleton placed in his hand a roll of banknotes, saying that at such a moment "there ought to be no want of money in Mr. Webster's house." Such actions as these are sufficient evidence of the fondness which Webster inspired among those who knew him best.

Curtis now returned to Marshfield, where Webster, with tears pouring down his cheeks, listened to what had been accomplished. On the evening of Saturday, October 23, when the formal draft of his will was prepared for his signature, the household assembled in his bedroom. Mrs. Webster and Fletcher having indicated their assent to its provisions, he spoke in a clear tone the words, "Let me sign it now." He then wrote his name in a bold hand, saying, as he handed the pen back to Curtis, "Thank God for strength to do a sensible act."[1]

With his family and servants around him, Webster then, in a voice which was strong and full, declared his religious faith, speaking very slowly as if he were addressing a multitude. "My general wish on earth," he said, "has been to do my Maker's will. I thank Him now for all the mercies that surround me. . . . The great mystery is Jesus Christ — the Gospel. What would be the condition of any one of us if we had not the hope of immortality?" And so he went on, his mind entirely lucid. Almost on the verge of eternity, the orator still craved his audience, as if the habit of a lifetime could not be broken. He began to ramble a little, falling back and closing his eyes, evidently overcome by drowsiness. Then, with an effort, he revived, and, looking about him, asked, "Have I, — wife, son, doctors, friends, are you all here? — have I, on this occasion, said anything unworthy of Daniel Webster?" "No, no, dear sir," was the response from everybody . . . .[2] There are those who find this scene theatrical, who imply that Webster was playing a part. But for forty years he had been almost constantly before the public. The man wanted to retain his faculties until the end. Accustomed to adulation, he longed to deserve it until the moment of bodily dissolution. It was in this spirit that he inquired whether he had fallen below his own high standard of speech and conduct.

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[1] Curtis, II, 697. Curtis has left the most detailed account of Webster's last days, and any description of what happened must necessarily be based very largely upon the story as he told it. He evidently took full notes of all that Webster said and did.

[2] This scene was later painted by the Boston artist, Joseph Ames, and an engraving was made by Charles Mattram, copies of which may still be seen on the walls of many New England farmhouses. Its accuracy is questionable in several respects, and one of the twenty-two figures delineated is Rufus Choate, who was certainly not present. See *A Description of the Great Historical Painting of the Last Days of Webster at Marshfield,* a pamphlet published in 1856.

It was one of those rare cases when a strong man meets death with all his mental powers unweakened. The flesh might yield, but the brain was unclouded. He still spoke from time to time, and, shortly after eight o'clock, asked to be permitted to say a word of farewell to each of his friends and relatives. His chief desire seemed to be to remain conscious until the very moment of dissolution. Now and then, however, he dropped off into a stupor, from which he roused at intervals to ask questions regarding his condition. The entire household, silent and reverent, was gathered at the bedside, as if a monarch were passing.[1] Just before midnight, he recovered consciousness sufficiently to utter the well-known sentence, "I still live!" Somewhat later he muttered some words, of which the only one clearly distinguishable was "poetry"; and, when Fletcher quoted the stanza from Gray's *Elegy* beginning, "The curfew tolls the knell of parting day," he smiled in recognition of the familiar lines. At twenty-three minutes before three, his slow breathing ceased, and Dr. Jeffries, who had been counting the pulse, laid down the arm gently and pronounced him dead.

At seven o'clock on that bright Sunday morning, the people of Marshfield heard the great bell of the parish church ringing violently — the traditional signal that a death had occurred in the community. Then followed three times three strokes, indicating that a male person had died. After that, the bell tolled slowly seventy times, to denote the age of the deceased. There was not a man or woman within its sound who did not know what it meant. Their great neighbor and leader would be among them no more.

Ralph Waldo Emerson was on the beach at Plymouth that morning, looking across the hazy water to Marshfield. Later, he recorded in his *Journal*, "The sea, the rocks, the woods, gave no sign that America and the world had lost the completest man," and added, in fitting eulogy, "Nature had not in our days, or not since Napoleon, cut out such a masterpiece."[1] As the news spread, the whole nation lamented. The flags in every town and city were at half-mast. John Fiske remembered that, as a boy of eleven, he felt that "life seemed smaller, lonelier, and meaner" and wondered "how the sun would rise and the daily events of life go on without Daniel Webster." Men who had never seen him went about as if stunned, and even those who had accused him of moral and spiritual deterioration could not restrain their grief: —

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[1] Those present during Webster's last hours were Mrs. Webster, Mr. and Mrs. Fletcher Webster, Mr. and Mrs. James W. Paige, Mr. Samuel A. Appleton (his son-in-law), Mr. Le Roy, Miss Downs (a relative of Mrs. Webster's), Peter Harvey, Edward Curtis, Mr. Zantzinger, Dr. Jeffries, Dr. Warren, Charles H. Thomas, George T. Curtis, Seth Weston, and several of the servants, including Monica.

> Men are we, and must mourn when even the shade
> Of that which once was great has passed away.

As far south as Charleston, the *Mercury* referred to him as "the last survivor of those mighty spirits who have given character and impress to the political history of the country for the last forty years."

In his will, Webster had expressed a desire to be buried "without the least show or ostentation," and he had himself designed his monument and written the inscription to be carved upon it.[2] Accordingly, although President Fillmore proposed a funeral under government auspices, the family held the obsequies at Marshfield. It proved to be impossible, however, to keep the services private, for thousands of people wished to pay their tribute to his memory.

Friday, October 29, was one of the loveliest days of the Indian summer. All business ceased in Boston. The Post Office was closed, the schools shut down, and no lectures were held at Harvard College. Buildings were draped in black, and Bunker Hill Monument, the scene of two of Webster's most famous addresses, was dressed in mourning. Thousands of people set out early for Marshfield, many of them by the Old Colony Railroad to Kingston, and others by the steamboats *Mayflower* and *R. B. Forbes*. Furness found there more than two thousand carriages. A vast throng was pouring through the gates — a solemn gathering, with "no gayety or unseemly mirth."

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[1] Emerson, *Journals*, VIII, 335.

[2] The inscription was as follows: "'Lord, I believe; help thou my unbelief.' Philosophical argument, especially that drawn from the vastness of the universe in comparison with the apparent insignificance of this globe, has sometimes shaken my reason for the faith that is in me; but my heart has assured, and reassured me, that the gospel of Jesus Christ must be a Divine Reality. The Sermon on the Mount cannot be a merely human production. This belief enters into the very depth of my conscience. The whole history of man proves it." — DANIEL WEBSTER.

On the lawn in front of the house had been placed the coffin, open entirely to the sun. In it lay Webster as he had been in life, wearing his blue coat with gilt buttons, a white vest and cravat, pantaloons, gloves, shoes, and dark cloth gaiters. His right hand rested on his breast, and his face looked "haggard, careworn, and black."[1] A queue was formed, and the visitors walked to the bier two by two and then separated, one going on each side.[2] In the line were men and women of every station, from Franklin Pierce, about to be elected President of the United States, down to the most obscure laborer on the Marshfield farm. The coffin was filled with flowers, and Furness stooped over and plucked an ivy leaf from a wreath placed near the dead statesman's noble brow. Among those who passed by were Governor George S. Boutwell, Mayor Seaver, of Boston, William L. March, Robert C. Winthrop, Josiah Quincy, Abbott Lawrence, Edward Everett, and Rufus Choate.

Within the house there was a simple religious service, in charge of the Reverend Ebenezer Alden, Pastor of the Congregational Church of Marshfield, and consisting of a prayer, a Scripture reading, and a brief eulogy. The coffin was then placed on a low platform car and drawn by two black horses to the family cemetery on the knoll overlooking the sea, while the relatives and friends followed behind, as mourners, marching to the music of Beethoven's noble requiem. Six of Webster's farmer neighbors[1] then bore it to the grave, where, after a short prayer, the mortal remains were consigned to the earth.

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[1] See also Lanman, 182; Poore, I, 422.

[2] Horace Howard Furness, the Shakespearian scholar, was then an undergraduate at Harvard and made a trip to Marshfield to attend the funeral. He wrote to his father, "It was really a very impressive scene. The coffin was under a tree, whose leaves appeared to have been spared by the autumn, & the sun (for it was a most heavenly day) shimmered down through them, right upon his very face. Every one was silent or else spoke in whispers. But not always — one man (a brute) came up eating an apple, & just before he came to the coffin took an extra-ordinarily large bite, so that his eating might not be interrupted." (*Letters of Horace Howard Furness*, I, 9–10). Another Harvard student who was present was Melville W. Fuller, later Chief Justice of the Supreme Court of the United States. Four Dartmouth undergraduates attended as representatives of the college. (*Proceedings of the Webster Centennial*, 207.)

After Webster's death, an autopsy had been performed by Dr. James Jackson, of Boston, with six other physicians present.[2] It was found that the liver was "very markedly granulated; dense and contracted in size," indicating cirrhosis of that organ. It was discovered also, to the astonishment of the doctors, that the membranes of the brain were much damaged, and that there were many long-standing adhesions around the spleen, the gall bladder, the cæcum, and the lungs. The immediate cause of death was hemorrhage from the stomach and the intestines, but this was the direct result of the disease of the liver. The other major abdominal organs, as well as the heart were in good condition, although the tissues were much emaciated.[3]

Perhaps the most interesting fact disclosed by the autopsy was the remarkable size and heaviness of the brain. The cranial capacity was the largest recorded up to that time, and the weight of the brain in ounces was 63¾ — exceeded only by that of Cuvier, which was 64¼. The average human brain, it should be noted, weighs only 49½ ounces. The circumference of Webster's head measured 23¾ inches.

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[1] The bearers were Asa Hewett, Seth Weston, Eleazer Harlow, J. P. Cushman, Tilden Ames, and Daniel Phillips.

[2] Jeffries, *An Account of the Last Illness of the late Hon. Daniel Webster.*

[3] Dr. Tracy B. Mallory, of Boston, after reading the account of Webster's last illness and the autopsy findings, has kindly given me the following technical conclusions: "Several points are perfectly obvious. He unquestionably had hay fever, probably from ragweed, if one may judge from the seasonal occurrence. His persistent diarrhea for several years fits well with the findings of diverticulitis of the sigmoid and colon. The immediate cause of death was undoubtedly gastric hemorrhage, probably from esophageal varices, since the liver was unquestionably cirrhotic. The description of the liver would fit well with an alcoholic cirrhosis, which is by no means unlikely as far as I can tell from what I have heard of Mr. Webster's habits, but it is of course quite possible that it was an atrophic cirrhosis of some other type." Regarding the meningeal findings, Dr. Mallory thinks that "they seem to fit best with the idea of a traumatic subdural hemorrhage occurring some months before, very possibly at the time of the injury from the buggy accident." In these conclusions, Dr. J. Dellinger Barney, of Boston, concurs.

On the Tuesday following the funeral came the election for President. If Webster had lived and had been able to go to the polls, he would undoubtedly have cast his ballot for Franklin Pierce, and, in his final message to Rufus Choate, he said, "Tell him that after the second day of November next, the Whig Party, as a National Party, will exist only in history." It was an accurate prophecy. The victory of the Democrats was overwhelming, Pierce receiving 254 electoral votes against 42 for Scott. In Georgia, the Constitutional Union Party had selected Webster and Charles J. Jenkins as its candidates, and even after Webster's death, Alexander H. Stephens and his followers voted for the ticket bearing his name.[1] Even in Massachusetts, Webster was given 1670 votes. But the Whig organization was ruined beyond repair.[2] Torn by internal dissension and deprived of its great leaders, Clay and Webster, it lingered for a few years, but with no positive programme, and it was never again an important factor in national politics. In 1856, the eight votes of Maryland were all that it could muster, and Massachusetts cast her thirteen votes for Fremont and Dayton, and the newly formed Republican Party. Its record had not been altogether creditable. It had succeeded only by a policy of expediency and evasion, and its best work had been accomplished in opposition. Conditions had changed, and it was time that the Whig Party should disappear. It had no longer any real function to fulfill.

Webster's will — an unusually clear and carefully phrased document[3] — left his two estates at Marshfield and Franklin in the hands of trustees — James W. Paige, Franklin Haven, and

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[1] Pendleton, 119.

[2] "Webster in the flesh and the Whig Party in its name and organization died within a fortnight of each other at the feet of their goddess." (Garrison, *Garrison*, III, 371.)

[3] The will was witnessed by George J. Abbot, John Jeffries, and Charles H. Thomas, and was signed on October 21, 1852. The full text is printed in National Edition, XIII, 586, ff. Webster had made a previous will in November 1836, but his financial condition since then had much changed, and a new one was essential.

Edward Curtis — for the use, after some obligations were paid off, of his only surviving child, Fletcher Webster, and, after him, of the latter's two sons, Ashburton Webster and Daniel Webster, Jr. The widow, however, was granted the right, during her lifetime, to reside at Marshfield whenever she chose to do so. She did remain there for two years after her husband's death, but then moved to New York City, presumably to be near her own family.

Caroline Le Roy Webster's later life could not have been altogether happy. When she left Marshfield, she began housekeeping "in one of Mr. Astor's houses," on Thirty-third Street, near Fifth Avenue. After her health declined in 1871, she gave up this house and took a quiet boarding place on Fourth Avenue. She emerged for a few hours from obscurity when she appeared at the dedication of the statue of her husband in Central Park on November 25, 1876, and a New York newspaper said: "The old lady is now in her 80th year, and is very feeble. During the past ten years she has not gone into society at all; but until six months ago she might have been seen every Sunday attending the services at the Calvary Episcopal Church, on the corner of Fourth Avenue and Twenty-third Street." Later she moved to New Rochelle, New York, where her father had once owned a country home and where she died, February 26, 1882, of pneumonia, at the age of eighty-five, nearly thirty years after the death of her husband. Although Webster had provided for her burial at Marshfield, there was no one to attend to his wishes, and she was interred in Woodlawn, New York.[1] So far as can be discovered, she left behind no reminiscences or letters, and her memories of the golden days when her husband was the idol of the American people perished with her.

The secluded cemetery where Daniel Webster lies occupies the site of the first church in Marshfield, built in 1641 and abandoned in 1657, and is adjacent to the larger burying ground where several of the early settlers — including Governor Josiah Winslow and many of his family — have their tombs.[1] Around the central block of granite are eight smaller pyramidal stones, designed by Webster himself; and the area is enclosed by a wrought-iron fence. From this memorial hill on a clear day one may see Cut River, with its rainbow bridge; Garnet Point and its lighthouse; the long stretch of Green Harbor Marsh, dotted by invading inlets; the village and bay of Duxbury, with Manomet Point dimly discernible; and always in the distance the swelling ocean which Webster loved to watch and hear. It is a place of restfulness and peace.

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[1] Webster had said of Mrs. Webster in his will, "Her ancestors and all her kindred lie in a far-distant city. My hope is, that after many years she may come to my side, and join me and others whom God hath given me." (National Edition, XIII, 586.)

Fletcher Webster, who had married, November 27, 1836, Caroline Story White, a niece of Justice Joseph Story, had had six children, of whom three daughters died young.[2] A fourth daughter, Caroline, born on October 24, 1845, married James Geddes Day and died childless in her thirty-sixth year. Fletcher Webster himself, after being superseded in March 1861 as Surveyor of the Port of Boston, issued a call for volunteers and recruited the Twelfth Massachusetts Infantry, of which he was made the Colonel. After drilling at Fort Warren the regiment went to the front in July. He was killed at the head of his men at the Second Battle of Bull Run, on August 30, 1862.[3] His older son, Daniel Fletcher Webster, Jr., also joined the Northern forces, was wounded, and finally contracted consumption, from which he died on September 2, 1865. Ashburton Webster, the only remaining son, died of consumption on July 23, 1879. Within less than eighteen years after Daniel Webster's death, his male line of descendants had disappeared, for neither Daniel Fletcher Webster, Jr., nor

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[1] For a description of the graves on Burying Hill, see Marcia A. Thomas, *Memorials of Marshfield.*

[2] Grace Fletcher Webster (August 29, 1837–February 7, 1844); Harriet Paige Webster (September 6, 1843–March 2, 1845); and Julia Appleton Webster (November 15, 1850–July 10, 1862). All are buried in the Webster plot at Marshfield.

[3] *Harvard Memorial Biographies*, I, 21–30. Colonel Webster's body was recovered through the efforts of Lieutenant Arthur Dehon and brought North, where, after funeral services in Boston, September 9, 1862, it was taken to Marshfield and buried by the side of his father. A monument, erected on the battlefield, marks the spot where he fell.

Ashburton Webster had married. Gone were Webster's hopes of establishing a dynasty. Mrs. Fletcher Webster, who had been celebrated for her beauty, was described in 1876 as "a cheerful, matronly dame on the shady side of fifty years." She died in Boston, on August 7, 1886.

Webster's only descendants to-day have come down through his daughter, Julia, the attractive but frail girl who had married Samuel Appleton Appleton, in London, and who was a victim, in 1848, of the family scourge, pulmonary tuberculosis. Her husband died in Boston, June 4, 1861, when he was not quite fifty years old. Of her five children, four were living at the time of Daniel Webster's death and received bequests in his will.[1] Three of these — Caroline Le Roy Appleton, Samuel Appleton, Jr., and Julia Webster Appleton — married and had children, several of whom are alive in 1930. Caroline Le Roy Appleton, the eldest, married Newbold Edgar, by whom she had three children, one of whom, Commander Webster Appleton Edgar, of the United States Navy, is living in Cazenovia, New York. After Mr. Edgar's death, she married Jerome Bonaparte, a grandnephew of the great French Emperor, by whom she had two children — Jerome Napoleon Bonaparte, of New York City, and Louise Eugene, who married Count Adam Von Moltke Huitfeldt and died in 1923, leaving one daughter and four sons.

Colonel Samuel Appleton Appleton, who had lived at Marshfield as a child, settled eventually in St. Paul, Minnesota, where he died in 1925, the last surviving grandchild of Daniel Webster. Four of his children are living: Samuel Appleton Appleton of Warrenton, Virginia, Robert Edgar Appleton, of Easton, Maryland, Mrs. W. G. Heaton, of Fifield, Wisconsin, and Mrs. John E. Seabury, of St. Paul, Minnesota. Julia Webster Appleton married Walker K. Armistead and had three sons, of whom two are alive — Lewis Addison Armistead, of Boston, and Daniel Webster Appleton Armistead, of Bethlehem, Pennsylvania. The second of these is apparently the only member of the family to carry on the name of its great founder.

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[1] National Edition, XIII, 589–90. Mary Constance, the youngest child, died in 1849, and Daniel Webster Appleton, born in 1845, died in his early youth.

The estate created by Webster's perseverance disintegrated only too speedily. Fletcher Webster, who inherited little but debts from his father, at once sold his own smaller house [1] on the outskirts of the farm and moved into the larger residence. The extensive library, including more than fifteen thousand volumes, was disposed of at a public auction, on June 8, 1853. Necessity compelled Fletcher to sell off, piece by piece, the outlying land which his father had so laboriously accumulated. The huge barn was burned in 1870. In February 1878, fire broke out in the house itself, consuming it and many of the treasures which it contained and destroying all the outbuildings except the shed which Webster had used as a law office.

As soon as possible, a modern dwelling, of the type of architecture known as Queen Anne, was erected on the spot where the homestead had stood, and the furniture and relics which had been saved from the flames were placed in the parlor where they could be inspected. Ashburton Webster, who had occupied the farm with his mother since his father's death, died in 1879, and it then reverted to her. At the Marshfield Centennial, in 1882, Mrs. Fletcher Webster, who acted as hostess, was described as "the only surviving possessor of this domain." She sold the estate in 1884 to Mr. Walton Hall, a wholesale merchant in Boston, but a native of Marshfield Hills, who conducted it successfully as a farm and was careful to retain the Webster atmosphere. Since his death in 1928, it has been under the direction of his executors, and it now comprises about a thousand acres.

As the visitor strolls about to-day, through the well-kept orchard and around the tiny pond where the Home Squadron floated, he can in some degree imagine the glories of bygone times. The giant elm, to which, according to tradition, one of the Queen's Guards was tied during the Revolution and flogged for drunkenness, still stands on the south side of the house; and the two saplings planted by Webster in memory of his lost son and daughter are now tall and venerable trees. But the most alluring spot is the historic burying ground on the knoll, where rises a plain granite monument bearing the words DANIEL WEBSTER. An obscure American poet voiced the emotions of a nation when he wrote of his hero: —

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[1] Fletcher Webster's house, sold for $5500, was soon converted into a seaside hotel, under the name of "Webster Place," and was erroneously supposed by many visitors to be the Webster homestead.

> We have no high cathedral for his rest,
> Dim with proud banners and the dust of years;
> All we can give him is New England's breast
> To lay his head on, and ten thousand tears.

XXXI

AFTERMATH

The great are falling from us; to the dust
  Our flag droops midway, full of many sighs;
A nation's glory and a people's trust
  Lies in the ample pall where Webster lies.
— THOMAS BUCHANAN REED

I still live!
— DANIEL WEBSTER

"THERE goes Webster!" bystanders would whisper as he walked across Boston Common; and little knots of people gathered and stared at him whenever he entered State Street. Like Mark Twain, he rather enjoyed the sensation which he created, and he had no aversion to publicity. He was, for thirty years, probably the best-known figure in the United States, and, although he failed to reach his highest ambition, he was acclaimed when Van Buren or Polk would have passed unnoticed.

When he was only thirty-seven, he was awarded the honorary degree of Doctor of Laws by the College of New Jersey (later Princeton). A similar distinction came from his own Alma Mater, Dartmouth, in 1823, and from Harvard[1] and Columbia in 1824, as well as from Allegheny College in 1840. Although not a graduate, he was an Overseer of Harvard College for thirty years. Before he was fifty, he had been elected to a score of learned bodies, including the Massachusetts Historical Society[2] (August 27, 1821), and his desk was full of notifications that he had been chosen a member of various angling clubs and agricultural associations.

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[1] The two others receiving the same degree at Harvard on August 25, 1824, were Josiah Quincy and William Wirt. Lafayette was present at the ceremony.

[2] Webster occasionally attended meetings of the Massachusetts Historical Society and made donations to its library and cabinet.

In 1830, following the Reply to Hayne, when Webster was first infected with the Presidential virus, his nephew, Charles B. Haddock, edited an octavo volume called *Speeches and Forensic Arguments*, with an engraved frontispiece of Stuart's portrait of Webster.[1] A second volume was added in 1835 and a third in 1843. The 1843 edition, published by Tappan and Dennett, was reviewed in the *North American Review* for July 1844, by Edwin P. Whipple, who declared that, considered merely as literature, the selections took "the highest rank among the best productions of the American intellect."[2] Still a fourth volume, under the title *Diplomatic and Official Papers*, with an introduction written by Edward Everett at Webster's request, came out in 1848. In 1831, Samuel L. Knapp, a prolific journalist, wrote *A Memoir of the Life of Daniel Webster*, basing the narrative largely on material supplied by Webster himself.[3] Although the tone was too effusively laudatory, the biographical portions were reliable, and offered a storehouse of facts to the contemporary newspapers.

Aside from unimportant casual sketches, nothing else appeared on the subject until 1849, when General S. P. Lyman began the publication in the New York *Commercial Advertiser* and the *Courier and Enquirer* of a series of entertaining articles on Webster's career.[4] In the following year, Charles W. Marsh published a volume entitled *Reminiscences of Congress*, — changed in later editions to *Daniel Webster and His Contemporaries*, — containing a lively portrayal of Webster's life to the close of Jackson's administration.

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[1] Webster to Haddock, March 4, 1830, National Edition, XVII, 490–91. Webster to Davis, March 29, 1830, *Ibid.*, p. 499. Webster wrote to Haddock February 6, 1831, "The book, I have seen. It is well enough except the awful face, which seems to be placed in the front of the volume, like a scarecrow in a cornfield, to frighten off all intruders." (*Ibid.*, pp. 508–09.) It was reviewed enthusiastically by George Ticknor, in the *American Quarterly Review* for June 1831. Webster, much pleased with Ticknor's comments, suggested that the article, with one or two ideas expanded, be reprinted as a pamphlet (*Ibid.*, XVI, 208–9).

[2] Whipple, *Essays and Reviews*, I, 166. Whipple's praise of Webster's orations was almost unqualified.

[3] Knapp's *Memoir*, a thin volume of 234 pages bound in boards, was published by Stimpson and Clapp, of Boston.

[4] These were brought together and published in December 1852, in two volumes, called *Life and Memorials of Daniel Webster*, with a biographical introduction by Lyman.

Early in 1850, Webster undertook the collation of an official edition of his *Works*, which was carried through mainly by Edward Everett and prefaced by a Memoir of Webster written in a style adequately described as "chaste and elegant." It comprised six volumes, each of which was dedicated by Webster to some of his relatives or friends. The first was inscribed to Mrs. Alice Bridge Whipple and Mrs. Mary Ann Sanborn, the married children of his brother, Ezekiel. The others, in order, bore the names of Isaac P. Davis, Caroline Le Roy Webster, Fletcher Webster, James W. Paige, and Julia and Edward, his own son and daughter who had so recently died.

Webster's death, as we have seen, was regarded by his friends, and by most of his foes, as a national calamity. No American statesman has ever been more universally mourned. Men in remote places, who knew him only from his pictures, felt as if a friend had gone. With him passed the Golden Era of the "Great Triumvirate," and there seemed to be no one who could take his place in public life. From scores of pulpits all over the country, clergymen preached sermons with his career as their text, and a large proportion of these commemorative discourses were later printed in pamphlet form.[1] Their tone was the same: "Know ye not that there is a prince and a great man fallen this day in Israel?" or "Because man goeth to his long home, and the mourners go about the streets." Never in our history has there been a more spontaneous or sincere expression of grief.

The months after his death seemed to be devoted mainly to praise of Webster. At innumerable organization meetings, resolutions were passed and speeches were delivered. President Fillmore, in his "Message," called attention to Webster's "commanding talents, his great political and professional eminence, his well-tried patriotism, and his long and faithful services in the most important public trusts." In the United States Senate, after Senator Davis had presented appropriate resolutions, Butler and Cass and Seward and Stockton paid tribute to his memory. In the House of Representatives, George T. Davis quoted Milton's words from *Samson Agonistes*: —

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[1] The collection presented to the Phillips Exeter Academy by Charles P. Greenough includes fifty-six separate items, but is obviously very incomplete. For a list of titles, see *Bibliographia Websteriana; a list of the publications occasioned by the death of Daniel Webster*, compiled by C. H. Hart and printed in a *Bulletin* issued by the Philadelphia Mercantile Library, July 1, 1883, pp. 79–82.

> Nothing is here for tears, nothing to wail
> Or knock the breast, no weakness, no contempt,
> Dispraise, or blame, — nothing but well and fair,
> And what may quiet us in a death so noble.

In the Supreme Court of the United States and before the judicial benches of the Commonwealth lawyers and judges spoke of him with affectionate regret. Before the Circuit Court for the District of Massachusetts, Rufus Choate delivered one of his amazing panegyrics. At noon, on Wednesday, October 27, the windows of Faneuil Hall were darkened and, in the dim light cast by lamps, the citizens of Boston met to listen to Edward Everett and to plan for a great memorial meeting. A Committee of One Hundred, including the city's most distinguished names, was formed, and on November 30 Boston declared a solemn holiday. An imposing military procession marched through the streets, past buildings draped in mourning, to Faneuil Hall, which had been decorated with banners giving words from Webster's speeches. There the audience, with Healy's painting of Webster's Reply to Hayne before their eyes, listened to an eloquent formal eulogy by George S. Hillard. The proceedings of various groups in Boston were later published in a volume entitled *A Memorial to Daniel Webster* (1853), prefaced by an account of his last illness and death.

During these days of sorrow, even Webster's critics forgot their animosities, and the storm of obloquy ceased. But there was one notable exception. On the Sunday following Webster's death, when the bells tolling for his obsequies had barely stopped ringing, the Reverend Theodore Parker, still unforgiving, preached at the Melodeon, in Boston, a sermon which, as an exhibition of bad taste in pulpit oratory, has probably no parallel. He called it, when it was printed, *A Discourse Occasioned by the Death of Daniel Webster*, and it took three hours to deliver. It was eloquent, but its eloquence was animated by hatred. It was stirring, but its fervor was destructive of justice. Its spirit was vindictive and unchristian. He quoted rumors as if they were facts; he used casual gossip as evidence; and he had made no effort to verify many of his accusations. It is to Parker that we owe many of the falsehoods which have been perpetuated by later biographers.[1]

Parker's *Discourse* was colored throughout by his abhorrence of the Seventh of March Speech. It was because of this that he said of Webster, "No living man has done so much to debauch the conscience of the nation" and described "that noble brow scarred all over with the records of a hard, sad life." Analyzing Webster's character, Parker declared that he had a besotted moral sense, little courage, and no decency, and that he was "eminently selfish, joining the instinctive egotism of passion with the self-conscious, voluntary, deliberate, calculating egotism of ambition."

The poison of Parker's *Discourse* was so venomous that it was its own antidote and brought upon him the strictures of his abolitionist friends. Its effect was more than counteracted also by the impassioned encomium by Rufus Choate, who, on July 27, 1853, at Dartmouth College, in the old colonial church on Hanover Green, delivered from that "memory-haunted platform" his "Discourse Commemorative of Daniel Webster," undoubtedly the noblest of American elegiac addresses. It was indeed "the utterance of a soul with sorrow laden," for Webster was Choate's hero, and his heart was overburdened with a sense of loss. It was an oration of nearly twenty-six thousand words, begun in the late afternoon, when the elderly alumni in the audience were tired after a long day. But they sat for three hours, as if held by an enchanter's spell, many of them weeping quietly. Finally, as the shadows lengthened outside the windows, he tossed his manuscript aside and concluded with an eloquent extemporaneous paragraph beginning, "My heart goes back into the coffin there with him, and I would pause." As he described Marshfield and its beauty, Choate said: —

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[1] Parker originated the myth that Webster tore his diploma to pieces in the college yard; that he refused to take his seat in the Senate in 1827 until ten thousand dollars was raised for him; and that he came to Faneuil Hall on May 22, 1852, in order to "solicit the votes of the Methodists." Parker's errors in minor matters of fact are numerous and inexcusable.

> Some of those whom on earth he loved best, still were there. The great mind still seemed to preside; the great presence to be with you; you might expect to hear again the rich and playful tones of the voice of the old hospitality. Yet a moment more, and all the scene took on the aspect of one vast monument, inscribed with his name and sacred to his memory. And such it shall be in all the future of America.

The tone and sentiment of Choate's tribute are probably overdone for the taste of our somewhat sophisticated age. But they were undoubtedly sincere, and they expressed admirably the mood of thousands of less articulate people who felt for Webster a love only a little this side of idolatry.[1]

Still loyal to his memory, Webster's admirers kept the tradition of his greatness alive by holding, on his birthday, dinners at which his imperial presence seemed again to animate the guests. At the Astor House, on January 18, 1854, a group of fifty of his friends gathered in the room where, year after year, they had been accustomed to meet with him as he passed through New York; and there, with his portrait looking down upon them, Dr. William Adams, Hiram Ketchum, Charles A. Stetson, and others of his former boon companions rose and drank a silent toast to his memory.[2] Until the Civil War, a dinner of this sort was held annually, and never without a store of anecdotes from those who had known him best. In Boston, too, his birthday seldom passed without some observance. One of the last occasions was on January 18, 1859, at the Revere House, when Caleb Cushing presided, and Rufus Choate, almost on his deathbed, spoke mournfully of their lost leader and cried, with the country apparently on the verge of disruption, "Oh, for an hour of Webster now!" As late as 1865, just before the Civil War closed, a group of his admirers held a dinner on March 7, at the Parker House, to commemorate his famous speech of fifteen years before.

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[1] See Fuess, *Rufus Choate*, 227–32, for a description of the scene and the effect of the oration on the hearers.

[2] The interesting addresses of the evening were printed in a pamphlet, *The Seventy-Second Anniversary of the Birthday of Daniel Webster*, published in 1854.

Before the close of 1852, Charles Lanman, who had been Webster's clerk in his last days, published a small volume under the title *The Private Life of Daniel Webster*, in which he had collected various anecdotes of his employer. Certain features of the book did not please the family, and it was accordingly suppressed — not, however, until it had been widely circulated. It contained some inaccuracies, but it hardly deserved the censure which was heaped upon it and its author. Lanman evidently had to be restrained, by threats of legal prosecution, from printing an edition of Webster's letters.

Meanwhile, Webster's literary executors — Edward Everett, George Ticknor, Cornelius Conway Felton, and George Ticknor Curtis — made energetic efforts to obtain letters from his correspondents, but, after the material had been obtained, procrastinated and lingered over the production of a book. Everett, to whom the others deferred, accomplished little in the way of composition, but he did assist Fletcher Webster in assembling and editing two volumes of Webster's *Private Correspondence*, which appeared late in 1856.[1] Felton died in 1862 and Everett in 1865; and, in 1866, after Ticknor had declined the task of preparing the biography, the papers were transferred to Curtis. He set to work immediately, and his book was published in 1870, in two large volumes. Well documented and carefully written, it must always be an important source of information regarding Webster's public and private life.

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[1] The *Private Correspondence* was dedicated by Fletcher Webster to his mother, Grace Fletcher Webster. The editing was carelessly done, and there were many unindicated omissions which were later checked up by Professor Van Tyne. The quaint spelling of Webster's overseers, Porter Wright and John Taylor, was corrected. For a discussion of the defects of Fletcher Webster as an editor, see Van Tyne's *The Letters of Daniel Webster*, Preface, x-xii.

Before Curtis's *Life of Daniel Webster* appeared, James Parton, who had some reputation in the literary world, published, in 1867, his *Famous Americans of Recent Times*, in which was included, besides essays on Clay, Calhoun, John Randolph, and others, a sketch of Webster printed originally in the *North American Review.* Obviously vindictive in spirit, this article is probably the most prejudiced estimate ever made of Webster. The author brought together all the baseless scandal, all the libelous gossip, which had been preserved by the Abolitionists, and, with this as his authority, drew a corrosive picture of the decay of Webster's powers and the degeneration of his morals. Parton thought Webster to be a sycophant because, in the course of his Seventh of March Speech, he was courteous to the dying Calhoun; and he gloated over the spectacle of the great orator sitting at a public dinner, "in an armchair, like Jupiter, in a spacious yellow waistcoat with two bottles of Madeira under it."[1] The evil of Parton's essay lay in the fact that most of his readers were not aware of the hatred by which it was inspired and of the complete inability of the author to be fair to his victim.

Peter Harvey, one of Webster's two or three most intimate friends in his later days,[2] had always aspired to be his Boswell. To him, Fletcher Webster gave a large part of the family letters in his possession, and Harvey, after adding to them in various ways, finally presented his collection, in 1876, to the New Hampshire Historical Society, where they constitute the most important aggregation of Webster papers in existence. A year later, he published his *Reminiscences and Anecdotes of*

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[1] The bitterness of Parton's sketch can be understood only by reading it in its entirety, as it appears in *Famous Americans of Recent Times*, pp. 53 ff.

[2] Harvey prepared this book almost on his deathbed, — he died on June 27, 1877, — from recollections dictated by him from time to time to his stenographer. Webster's affection for Harvey is shown by the story told by Charles A. Stetson. Stetson and Curtis were sitting with Webster in 1842, when the mail bag was brought in. Curtis, opening a letter from Harvey, read a note asking for a favor, which Webster immediately granted. "By Jove," said Curtis, "he is St. Peter!" "No," quickly answered Webster, "Peter Harvey never denied his friend!"

Daniel Webster (1877), giving random and badly arranged, but interesting, tales about him. Harvey's book is only too often inaccurate in names and dates, but the impression which it offers of Webster is vivid and realistic. With all its defects, it remains the most reliable full-length account of Webster as he seemed to his friends.[1]

In 1882, as the centennial of Webster's birth drew near, plans were made for a series of important celebrations by those who wished to honor his memory. Through the year, many gatherings were held, the most significant being that of the Webster Historical Society, held on October 12, at Marshfield. President Chester A. Arthur, with Robert Todd Lincoln, Secretary of War, and William E. Chandler, Secretary of the Navy, made a special journey to New England, received an ovation in Boston, and was then escorted to Marshfield, where he and his party were greeted by Mrs. Fletcher Webster in the new residence which, after the fire in February 1878, had replaced the house which Daniel Webster knew. At the tomb itself a memorial address was delivered by the Honorable Stephen M. Allen, President of the Webster Historical Society; and, at a dinner in the afternoon, the distinguished guests of the occasion paid their tribute to the dead statesman.[2]

Among the other noteworthy events of the year was a dinner of the Marshfield Club, on the evening of January 18, at the Parker House, in Boston, at which speeches were made by Governor John D. Long, Mayor Prince, Robert C. Winthrop, and others, including Webster's intimate friends, Franklin Haven and George Ticknor Curtis. The Dartmouth Alumni Association met on January 25, at the Revere House, to honor the most eminent graduate of their college. Throughout New Hampshire — at Franklin, at Exeter, at Portsmouth, and at Concord — there were meetings of his admirers; and on

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[1] Henry Cabot Lodge said of Harvey's *Reminiscences*, "A more untrustworthy book it would be impossible to imagine. There is not a statement in it which can be safely accepted, unless supported by other evidence." This judgment is unquestionably too severe.

[2] See *The Webster Centennial*, edited by Thomas H. Cummings, containing the proceedings on this occasion and at other similar celebrations held during 1882.

October 24 there was a pilgrimage to his birthplace, with another outpouring of praise and reminiscence.

In 1883, Henry Cabot Lodge, then a young and promising historian, wrote for the American Statesmen Series a life of Webster so admirable in style and arrangement that its partisanship passed at first almost unnoticed. Lodge was then under the influence of the New England Abolitionists, several of whom, including Garrison and Lowell, were still alive; and he perpetuated in his book their strongly prejudiced view of Webster as a debauchee and renegade. He deplored the refusal of Webster to accept the leadership of the Free Soil Party in 1848 and repeated the statement that the Seventh of March Speech was a "dreadful mistake," after which Webster's mind was "not at peace." Lodge also accepted implicitly the whispered gossip about Webster's immorality. Excellent though it was in many respects, the volume was too biased to stand as a final judgment on Webster's career.

It was, indeed, too soon for historians to regard Webster fairly. Neither his extravagant eulogists nor his violent critics could be trusted. The Reconstruction Period did little to alleviate or remove the animosities of the 1850's, and Webster still remained the figure around whom the battle raged. In 1901, however, when Dartmouth observed the one hundredth anniversary of his graduation, it was noticeable that both adulation and disparagement had moderated. The speakers at Hanover, among whom were Professors Charles F. Richardson and John K. Lord, as well as the Honorable Samuel W. McCall, Senator George F. Hoar, and Chief Justice Melville W. Fuller, tried to make a just and balanced estimate of his contribution to law and statesmanship, and, although they differed in their conclusions, they maintained a judicial viewpoint.[1]

With the opening of the new century, a group of younger historical scholars entered the field. Professor Claude H. Van

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[1] The celebration was held on September 24 and 25. Its *Proceedings* were later published under the editorship of Ernest Martin Hopkins, then Secretary to the President of Dartmouth and now himself President of the College.

Tyne, after painstaking research, edited in 1902 a large volume of Webster's letters assembled from various sources, especially the New Hampshire Historical Society. Van Tyne's work was carefully done, and later students of Webster are under deep obligation to him. In the following year appeared the monumental National Edition of *The Writings and Speeches of Daniel Webster*, in eighteen large volumes, edited by James W. McIntyre and published by Little, Brown, and Company. It included a great mass of new material — autobiographical data, scattered reminiscences, newspaper accounts of addresses, and miscellaneous documents — gathered from various quarters and arranged systematically.

The National Edition, comprehensive though it is, does not contain all, by any means, of Webster's work; but it is still the surest textual authority, and it must be used as the basis of any study of his achievement. No one since Curtis has attempted a full-length biography, with the exception of Sydney George Fisher, who, in his *The True Daniel Webster*, produced an interesting but badly balanced interpretation of his personality. James Ford Rhodes, the historian, was requested by a publishing house to write a life of Webster, but was at the time too much engrossed with other labors to do so. There have been several shorter lives, including those by Norman Hapgood (1899), Samuel W. McCall (1902), John B. McMaster (1902), Frederick A. Ogg (1914), Elijah R. Kennedy (1923), and Allan L. Benson (1930), to say nothing of various specialized monographs, such as *Daniel Webster, Expounder of the Constitution* (1905), by Everett Pepperrell Wheeler, and *Daniel Webster as an Economist* (1929), by Robert Lincoln Carey.[1]

The more recent American historians have been disposed to regard Webster more kindly than those of a generation ago. Professor Edward Channing, in his great *History of the United States*, takes the view that Webster, in his Seventh of March Speech, was an enlightened and farsighted statesman, who postponed the crisis between North and South for a decade. The treatment of United States history from a national viewpoint has caused a reaction in his favor, and he is probably better understood to-day than he was in 1880.

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[1] There is an excellent bibliography of Websteriana in the *Cambridge History of American Literature*, 480–88, prepared by Mark Van Doren, and including not only books by and about Webster, but also magazine articles.

A fair indication of the modern attitude towards Webster was disclosed in 1900, when ballots were cast by ninety-seven electors for candidates for the Hall of Fame, about to be opened in New York City. Washington, with ninety-seven votes, stood first; but Lincoln and Webster were a close second, with ninety-six votes each.[1] A tablet was unveiled to Webster in the Hall of Fame in 1901, bearing the quotation, "I profess, in my career hitherto, to have kept steadily in view the prosperity and honor of the whole country and the preservation of our Federal Union," from the Reply to Hayne; and, on May 12, 1926, his bust, by Robert I. Aitken, was unveiled by Webster's great-grandson, Samuel A. Appleton, with an address by the Honorable George W. Wickersham.

Webster, with his striking features, was the delight of artists, and he was depicted many times during his lifetime. General James Dana prepared in 1886 a list of more than sixty portraits then in existence by such artists as Ames, Healy, Harding, Lawson, Hoit, Stuart, Pope, and Alexander.[2] The earliest is generally supposed to be a miniature, by an unknown painter, made about 1806 and presented by him to Grace Fletcher at the time of their engagement.[3] Miss Sarah Goodridge painted at least five miniatures, with the earliest of which, dated 1827, Webster seems to have been very much pleased.[4] Harding, Ames, and Healy evidently used him as a subject frequently, and there are unquestionably in existence some of their portraits

[1] See Hall of Fame, *Record of the Results of the Six Quinquennial Elections, 1900–25*. Franklin received ninety-four votes and Jefferson ninety-one.

[2] See the *Proceedings of the Massachusetts Historical Society*, April 1886, Second Series, Volume II, 261–65.

[3] See "Life Portraits of Daniel Webster," with Introduction and Notes by Charles Henry Hart, in *McClure's Magazine*, May 1897, Volume IX, 619–30. This article includes reproductions and descriptive notes of several portraits.

[4] This miniature, painted for Eliza Buckminster Lee, is now in the cabinet of the Massachusetts Historical Society. Webster wrote the artist, telling her how "very much it satisfied Mrs. Webster and also the person for whom it was designed."

which have never been catalogued. More than one collector or antiquarian has discovered in some out-of-the-way corner of New England an "unknown" portrait of Daniel Webster, only to learn, upon investigation, that it was merely another copy by Harding of an already familiar original. There are also extant a considerable number of daguerreotypes, some of which are frequently reproduced, especially the "hat daguerreotype," made in Philadelphia on December 3, 1846, and the "mastiff daguerreotype," taken on April 22, 1850, upon his arrival from Marshfield on his way to Washington. Engravings and woodcuts of Webster were frequently printed and extensively circulated.

Portrait busts and statues of Webster are naturally fewer in number. The American sculptor, Hiram Powers, spent three weeks at Marshfield in the summer of 1836, completing the well-known marble bust now owned by the Athenæum Library, in Boston. After Webster's death, a Committee of One Hundred, headed by Edward Everett, raised a considerable sum of money and engaged Powers to make a bronze statue of heroic size. The commission was accomplished by Powers, who was then living in Europe, but the statue was lost at sea, and a new one had to be ordered. When it arrived and was set up temporarily in the vestibule of the Athenæum, it was at once subjected to the most caustic newspaper criticism, on the ground that the figure was "lank and slouching" and that the trousers were too loose around the legs. After a somewhat acidulous discussion, in which Everett, Peter Harvey, Fletcher Webster, and Rufus Choate were heard in defense of Powers,[1] the statue was erected on a pedestal in front of the State House, where it still stands.

Another American sculptor, Thomas Ball, although he never had Webster as a sitter, made statues of Webster which received the favorable judgment of competent critics. One of these, owned by Dartmouth College, shows Webster as he was in middle life, poised firmly on both feet, with his left hand resting with clenched fist upon a rostrum. Another, presented to the City of New York by Gordon W. Burnham, was unveiled on November 25, 1867, in Central Park, with an address by Robert C. Winthrop. Still a third was given to the State of New Hampshire by Benjamin Pierce Cheney, and dedicated, in its location in front of the State House in Concord, on June 17, 1886.[1]

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[1] See *A Defense of Powers' Statue of Webster*, by Edward Everett, printed as a pamphlet in 1859. In the course of the debate, Everett quoted Peter Harvey as having overheard Webster say that the Powers bust was "the best likeness of him that had been made, and a faithful representation of him, at his prime." The advocates of the statue maintained that it was an accurate portrayal of Webster between forty and fifty years of age, before he had become stout.

But, excellent though these representations are, they are inadequate. George Washington lives for us in the towering shaft on the banks of the Potomac. Abraham Lincoln sits, forever thoughtful, in his pillared temple, visited annually by millions of Americans. There is, however, no suitable memorial to Daniel Webster. A few scattered tablets tell us where he lived or worked or spoke, but there is no national shrine to perpetuate his greatness. The time will come when there will rise in the capital a monument which will be appropriate to his importance in our history.

[1] There are four portrait busts of Webster in the Athenæum Library in Boston: the familiar one by Powers, one by Frazee, and two by Clevinger, one of them the gift of the artist.

XXXII

THE VOICE OF THE DEVIL'S ADVOCATE

A great man is always entitled to the most liberal interpretation, and the few anecdotes by which his opponents have most deeply stabbed at his reputation admit of explanation.

— EMERSON, *Journals*, February 7, 1843

When Mr. Webster failed it was a moral failure. His moral character was not equal to his intellectual force.

— LODGE, *Daniel Webster*

No biographer of Webster can shun the responsibility of discussing candidly the accusations which have been brought against him, often by whispering and innuendo, but occasionally supported by evidence. Every man in a conspicuous position is likely to be the object of calumny. In the twentieth century, the charges of drunkenness against Theodore Roosevelt and of sexual immorality against Woodrow Wilson are illustrations of the unscrupulousness of slanderous tongues. Webster was peculiarly the victim of backstairs gossip. In 1843, Emerson recorded what were quoted as Webster's three rules of living: "(1) Never to pay any debt that can by any possibility be avoided; (2) Never to do anything to-day that can be put off till to-morrow; (3) Never to do anything himself which he can get anybody else to do for him."[1] So the malicious Ben Perley Poore chuckled over the story of how the "god-like one," having dined too well before a concert by Jenny Lind, rose at the end of her first song and bowed majestically, while the audience burst into renewed applause.[2] Whenever scandal gathered around Webster's name, it made its appearance in the venomous pages of John Quincy Adams's *Diary*. Later his enemies, the Abolitionists, took good care that no defamation should die for want of repetition; and to-day, in clubs and private homes, the familiar stories are being idly perpetuated, although their mythical source may long ago have been proved.

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[1] Emerson, *Journals*, VI, 344.

[2] Poore, I, 388.

Daniel Webster was certainly no saint. He would have been more at home with Lancelot than with Galahad, and his chosen friends were men of the world. After his long hard hours in the Senate, he was undoubtedly glad, as Emerson said, to get back among his cronies, where he could stretch himself at his ease and drink his mulled wine. He had some weaknesses of the flesh and committed some indiscretions.[1] But his faults were those of a large and liberal personality. "There is no malice in the man," said Emerson, "but broad good humor and much enjoyment of the hour."

Webster's critics have asserted repeatedly that he was a drunkard, or, at least, intemperate in his use of alcoholic stimulants, and there are scores of anecdotes afloat regarding his indiscretions under the influence of liquor. He did, of course, drink wine and spirits. His was an age when teetotalers, even among the clergy, were very rare. Probably Webster never attended an official banquet at which decanters were not placed upon the tables and toasts drunk by the guests; and every thoughtful host was careful to have an ample supply of claret and champagne. Intoxication was tolerated on the floor of the Senate, and whiskey was sold openly in the Capitol. From the chronicles of writers like Poore and Sargent pages may be selected which make the halls of Congress seem like haunts of debauchery. The best Madeira in Washington was labeled "The Supreme Court," imported by the Justices each year for their delectation. Well-known statesmen were notorious for their intemperate habits: Henry Clay was frequently inebriated in public; Silas Wright would probably have become President if he could have controlled his insobriety; and Franklin Pierce could not have been nominated by the Democrats without his pledge that he would indulge less freely.

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[1] "Not one of our family excepting myself seems to possess the least grain of prudence," wrote Julia Appleton (MSS. Diary, June 2, 1846).

Like virtually all his friends and acquaintances, Webster was fond of Port and Madeira. Writing in 1832 to Judge White, he said, "I assure you, it is not often that good wine is under any roof where I am without my knowing it."[1] His correspondence is sprinkled with references to the serving of liquors at his own table, and his wine bills were unquestionably large.[2] Convivial by nature, he enjoyed both the walnuts and the wine, and he was frequently stimulated to the point of joviality.[3] Like most of his contemporaries, he could imbibe considerable quantities of Madeira without being incapacitated because of it. After sitting long at the table, he would rise and, in coherent language and with steady bearing, deliver a speech of an hour's duration. He sometimes drank more than was good for him, but he rarely lost control of himself. The evidence on this point seems to be conclusive. Seth Weston, at Marshfield, declared that his master was "habitually temperate in the use of all intoxicating liquors." Charles A. Stetson, proprietor of the Astor House, in New York, who sat with Webster at countless banquets, said, "I can, before my God, say that I never saw him intoxicated." Isaac P. Davis maintained that Webster's drinking habits were "only such as prevailed in his day among refined and educated gentlemen." His physician, Dr. Jeffries, repudiated the accusation that Webster's intellect "was ever clouded by stimulants."

George Ticknor Curtis, Webster's official biographer, once contributed an article to the New York *Sun* in which he made a careful and frank statement regarding the statesman's habits: —

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[1] Webster to White, 1832, National Edition, XVII, 525.

[2] "*Pale* sherry," said Webster to Choate, "is good for nothing; he has n't anything to him." (Parker, *Choate*, 279.) Like Dr. Johnson, Webster felt that brandy was the drink for heroes.

[3] Chester Harding, the artist, in his autobiography, *My Egotistography*, tells several interesting stories of Webster, among them the following: "I had a few bottles of old Scotch whiskey, such as Wilson and Scott have immortalized under the name of 'mountain dew.' This beverage is always used with hot water and sugar. I put a bottle of this whiskey into my overcoat pocket one day when I was going to dine with Mr. Webster; but I thought, before presenting it to him, I would see who was in the drawing-room; and seeing none but the familiar party, said, 'I have taken the liberty to bring a Scotch gentleman to partake of your hospitality to-day.' 'I am most happy,' was the reply. I walked back to the entry, and pointed to the bottle. 'Oh!' said he, 'that is the gentleman that bathes in hot water.'" (Page 169.)

> I have seen Mr. Webster when he had been dining out at a private house or at a public dinner, and when he had taken too much wine, but I never saw him intoxicated, although I have seen him on occasions of high festivity when his animal spirits, the custom of drinking healths, and the manners of the time, sometimes led him to drink more than was prudent. . . . At no time did he ever impair his intellectual powers by a habit of intemperate drinking. . . . The stories that have been told of his being intoxicated on certain occasions are gross exaggerations.

Curtis himself acknowledged that once, during an all-night session of the Senate, Webster, when he spoke, was "under the influence of too much stimulant." Seth Weston recalled an occasion when, after Webster had been entertaining a number of friends from New York, he looked "a little flustered or exhilarated," but added, "He seemed to understand himself perfectly and to have perfect command of his legs." The truth is that Webster usually held his liquor "like a gentleman." John Sherman, a young lawyer from Mansfield, Ohio, attended a dinner at Plymouth in 1846 in commemoration of the landing of the Pilgrims. Webster sat in the middle of the cross table, with the British Minister on his right and Jeremiah Mason on his left; and Abbott Lawrence presided as toastmaster. Sherman, whose eyes were on Webster, noticed that he was drinking freely, and that his favorite bottle was one labeled "brandy." He was "plainly hilarious," and declined to respond to a toast. Suddenly the train conductor appeared to announce that the cars would start in fifteen minutes for Boston. Then at last Webster rose and, resting his hands firmly on the table, spoke "with glowing force and eloquence," contrasting the brevity and vanity of human life with the immortality of the great event which they were celebrating. "If his body was affected by the liquor," wrote Sherman, "his head was clear and his utterance perfect." [1]

Much was made by his enemies of his address at Rochester, in 1843, when he was apparently not well and asked for something to "moisten his lips." Whiskey was poured into his tumbler, and Webster drank it down. The effect, according to Charles A. Stetson, was instantaneous, and he made perhaps the most audaciously humorous speech of his career. When he was asked later how he enjoyed the banquet, he said, "Everything went well except that someone gave me a strong drink while speaking, which excited me very much. I hope there was no bad intention."[1]

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[1] John Sherman, *Recollections*, I, 85-86.

After his address before the New England Society in New York, in 1852, the story was passed around that "old Webster was drunk." He was then suffering from his last illness; he had made the journey from Washington without sleep and was excessively fatigued. During the early part of the proceedings, he sat with his hands over his eyes, meditating what he was to say. His remarks, according to Charles A. Stetson, sounded "very little like the speech of a drunken man." Yet on the following morning gossip on Broad Street was busy with his name.

Both Webster's critics and his apologists have been responsible for statements unwarranted by the facts. Although he sent a letter to a temperance society, expressing his conviction that its aims were likely to produce beneficial results, he added, "In some cases, it is true, the Temperance measures have been carried to excess, where they have invoked legislative penalties, and sought to enforce the virtue of Temperance by the power of the Law."[2] He believed that temperance should be brought about as the result of a moral movement, and not by statutes, and he would certainly have opposed prohibition by enactment. But it is absurd to maintain, as does one of his biographers, that "sobriety was a characteristic of Mr. Webster during his entire life."[3] It was for him that a particularly delectable punch was named in Washington.[4] Chancellor James Kent, one of his admirers, after dining with him in 1840, made an entry in his *Diary*, "He is 57 years old, and looks worn and furrowed; his belly becomes protuberant, and his eyes deep in his head. I sympathize with his condition. He has been too free a liver. He ate but little, and drank wine freely."[1] His death was probably hastened by cirrhosis of the liver, which is caused most frequently by long-continued indulgence in alcoholic liquor. But he was not a drunkard, and Gamaliel Bradford stated the simple truth when he wrote, "To me Webster's love of the sunrise and habit of five o'clock in the morning work was quite inconsistent with serious dissipation."[2]

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[1] *Seventy-Second Anniversary*, p. 114.

[2] Webster to a Committee in Hartford County, Maryland, October 8, 1851, National Edition, XVI, 627–28.

[3] Kennedy, *The Real Daniel Webster*, 165.

[4] Poore, I, 87. This beverage was made of Medford rum, brandy, champagne, arrack, maraschino, green tea, lemon juice, and sugar.

In a generation when wine was on every gentleman's table and when most respectable citizens looked upon it as essential to a formal dinner, Webster's indulgence was not remarkable. There is another charge, however, which cannot be passed over so lightly. The legend of Webster's licentiousness was spread by the high authority of Henry Cabot Lodge, who referred to his "strong passions and appetites, which he indulged at times to the detriment of his health and reputation,"[3] and to James Ford Rhodes, who declared that Webster "was not scrupulous in observing the seventh commandment."[4] The accusation of unchastity is too serious to be made without supporting facts, and these neither Lodge nor Rhodes saw fit to adduce.

To his first wife, Webster was devoted, and it is incredible that he should have been unfaithful to her. His second marriage was one rather for companionship than for passionate love; but he was so constantly before the public after 1830 that any indiscretion would have attracted notice. After the death of the first Mrs. Webster, when he was boarding in Washington with a lady and her husband, the gossip spread that she was his mistress. In 1868, Curtis, during an examination of

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[1] Van Tyne, 744–45.

[2] The evidence as to Webster's drinking habits has been investigated by Wilkinson, in his *Daniel Webster, A Vindication*, and by Kennedy, in his *The Real Daniel Webster*, but both men are too keenly interested in proving that their hero led a blameless life.

[3] Lodge, *Webster*, 356.

[4] Rhodes, *History*, I, 143.

Webster's papers, came across a bundle of letters between him and this lady, containing the strongest internal evidence that their relationship was friendly and nothing more. Curtis, who had no disposition to withhold the truth, considered the proof "as quite sufficient to explode the old Washington scandal."

While Webster was Secretary of State under Tyler, a journalist circulated the charge that, when a respectable woman had called at his office on business, he had locked the door and attempted a criminal assault. After consulting friends, Webster went before a magistrate and made an affidavit declaring that the story was absolutely false; and the statement was published in the Washington journals.

Most of the other slanders which have been attached to Webster have even less substantiation. Although fond of the society of women, he was far from being of the "great lover" type, and he was not temperamentally disposed to carry on amours. His correspondence shows him to have been thoroughly masculine, absorbed in affairs, and not susceptible to the temptations of either intrigues or promiscuous sensuality. Van Tyne justly said, "The truth seems to be that Webster suffered the penalty which invidious criticism always visits upon the man whose nobility of person and grace of manner give him favor in the eyes of womankind."[1]

Although regarded as an authority on government finances, Webster was, in his private transactions, absolutely without a money sense. He kept no regular accounts and was never clear how his large income from the law disappeared. Brought up in a household where debt was a familiar phantom, he learned neither prudence nor thrift, but spent in a grand way, as if the supply of currency were inexhaustible. When his Portsmouth residence burned down, he had no insurance, and consequently lost seven thousand dollars. His judgment in investments was seldom wise, and he usually bought and sold at the wrong time. In managing his estates, he disdained a budget system, but lived from hand to mouth, sending checks to his overseers intermittently as their need became apparent.

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[1] Van Tyne, 736.

Whenever there was cash in his pockets, Webster spent it, but his income, until he settled in Boston, was adequate to his modest needs, and it was not until he became a landed proprietor that his difficulties became oppressive. Until he purchased Marshfield, he was living only a little beyond his means, and his improvidence was a venial fault. But the expense of operating two estates — both usually run at a loss — was increased by his extensive land purchases; and his routine duties as Senator and Secretary of State precluded his giving to the law the attention which he had hitherto bestowed upon it. He still occasionally earned large fees, but they were infrequent, and, as his obligations piled up, his income dropped off. If he had never taken public office, he might have become rich in spite of his extravagance.

In 1836, Webster, by a special effort, straightened out his affairs so that he owed no man anything.[1] He was desirous of withdrawing from Congress, but his friends insisted that he should remain in the Senate, and he yielded. Then, in a period of inflation, he borrowed to the limit in order to buy government lands. Within less than two years, the panic of 1837 left him land-poor, and he was never able to recover his solvency.[2] From time to time interested friends did their best to untangle his complicated obligations, but with small success. It was as impossible for Daniel Webster as it was for Mr. Micawber to adjust his expenditures to his revenue. Meanwhile the cost of his farming experiments had not been reduced. He wrote to Seth Weston, half-whimsically, "My money in Boston did not hold out quite so well as I expected. I thought there was something of it, for me, — but a keg is soon emptied, if it be tapped at both ends, & then turned over, & the bung knocked out."[3]

Many stories, some of them almost incredible, have been told of Webster's ignorance of his financial condition. Once, according to Lanman, he called upon the cashier of his bank for the discounting of a draft. "Why do you need so much cash, Mr. Webster?" inquired the cashier, who knew him very well. "To spend; to buy bread and meat," replied Webster, a trifle annoyed. "But," said the officer, "you already have here on deposit no less than three thousand dollars, and I was only wondering why you wanted so much money."[1] It turned out that he had not even taken the trouble to find out how his account stood.

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[1] Webster to Sears, February 5, 1844, National Edition, XVIII, 183.

[2] Julia Webster Appleton wrote in her *Diary* for April 26, 1845, "Messrs. Blatchford and Curtis have been here for some days trying to settle father's business troubles for him. Poor man, if he could only get rid of his embarrassments, he would be a different person, I am sure." (MSS. *Diary*.)

[3] Webster to Weston, January 27, 1845, National Edition, XVI, 429.

Incapable of deceit himself, he could not imagine that anyone would attempt to defraud him. Harvey estimated that, during his lifetime, he lost more than $100,000 through his unsuspicious confidence in others. One of Harvey's stories is that of the upholsterer who was insolent in demanding payment for some furniture. Finally Webster asked his partner, Healy, to examine his files, and there he found two receipts for the same bill for two successive years. When the claimant appeared on the next morning, Webster, without rising from his chair, looked at him over his shoulder, held out the two receipts, and said, "The charges in this bill I always considered exorbitant. I thought them so when I paid it; and, as you have already been paid twice, it strikes me that, if a reasonable man, you ought to be satisfied."[2]

Unfortunately, this case seems to have been the exception. Webster allowed his accounts with business firms to run not only for months but for years, and his relations with banks were usually very complicated. Gamaliel Bradford has stated that Webster's unpublished letters to Henry W. Kinsman, Mr. Bradford's grandfather, show "constant money difficulties"; and the same is true of his unpublished correspondence with Caleb Cushing. At the Astor House, in New York, and at the Revere House, in Boston, he rarely paid for room or meals, and the managers were accustomed to charge his bills off to good advertising. He borrowed money for casual expenses from his friends, who, proud of their intimacy with him, were unwilling, in most cases, to remind him of the obligation.

[1] Lanman, 150–51.

[2] Harvey, *Reminiscences*, 372–74.

Webster gave away large sums annually in private charity. It is literally true that he never refused a loan to an old friend, and his correspondence, published and unpublished, is filled with appeals of every imaginable kind. Lanman relates a peculiar instance of his generosity. A prospective client came to him for advice in connection with the failure of a business house with which he had been associated. In the course of the conversation, Webster ascertained that the man was virtually destitute, and, after making some inquiries, handed him a five hundred dollar bill for his immediate needs.[1] One of his subordinates in the Department of State — a Negro named Charles Brown — was able to buy a plot of land in Washington and to build a house from the money which Webster had handed to him from time to time in tips.[2]

It would be impossible to trace Webster's ramified financial transactions either with banks or with private individuals. In his unpublished papers in the New Hampshire Historical Society and elsewhere are records of extensive loans from many different sources. His account with Samuel Frothingham, rendered on December 3, 1844, shows loans beginning with $500 in cash and culminating in a mortgage of $17,000, balanced by repayments of $7994.67 and $8192.59. From January 2, 1838, to February 15, 1841, he borrowed on promissory notes and overdrafts from the Bank of the United States a sum which, with interest, amounted to $93,361.31. On one note alone to the Trustees of the Bank of the United States he owed in 1846 the sum of $38,331.81. In some instances, of course, these obligations were met, but in others they were sold at a large discount, and many of them were recognized among the banking fraternity as worthless paper.

Webster's relations with Caleb Cushing are probably typical.

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[1] Lanman, 111–12. Josiah Emery once related a story of Webster, who had just received a draft for $500 to complete his fee in the Dartmouth College Case. President Francis Brown, of Dartmouth, was then ill, and Webster wanted him to go South. When Brown said that he could not afford it, Webster stepped to a desk, endorsed the draft, and handed it to Brown, saying, "That will help you, sir." Brown did go South and died there in the autumn of 1820. (*Granite Monthly*, February 1883, Volume VI, page 160.)

[2] Lanman, 124.

Cushing, a young and ambitious Congressman from the Essex North District in Massachusetts, was, in the 1830's, an enthusiastic admirer of Webster; and, like Edward Everett and Rufus Choate, was eager to achieve greatness by becoming his satellite. From Cushing, who was then a widower with some property, Webster obtained, over a period of six years, a sum of more than $10,000 — described by Cushing as representing "cash loans of mere friendship, legal debts, moral debts, debts of honor."[1] It may be that Webster, by securing for Cushing an appointment in 1843 as Minister to China, considered himself discharged from his obligation; but he did, at various interviews in 1848 and 1849, acknowledge his indebtedness, and he suggested that Cushing might be willing to compromise by taking some of his real estate at Rock Island City. After Webster had deeded to Cushing more than six hundred acres, it turned out that the property had previously been sold for non-payment of taxes. When this was reported to Webster, he wrote to Cushing, "I am, in all things personal and pecuniary, always unfortunate. I do not see that I shall ever be able to pay my debts."[2] This letter is singularly pathetic when we remember that Webster was at the time Secretary of State.

Unwilling to harass a worn-out and troubled friend, Cushing did not press the matter, and, when Webster sent him his note for $2000, did not attempt to discount it, but filed it away among his papers — fortunately, because, when it fell due, Webster was obliged to ask for a renewal. Some further negotiations ensued, and finally, less than a month before his death, Webster sent Cushing a note of hand for $2500, saying, "I hope you can turn the enclosed to some account. It is the best I can do, till I see you. Whoever takes this may rely on its being met with punctuality *if I live*."[3] This note Cushing never attempted to discount, and it was found among his documents long after his own death in 1879. When

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[1] Cushing to Bryant, January 5, 1856, Fuess, *Caleb Cushing*, II, 93.

[2] Webster to Cushing, September 20, 1850, Fuess, *Ibid.*, p. 88.

[3] Webster to Cushing, September 30, 1852, Fuess, *Ibid.*, p. 91.

Webster's executors were busy straightening out his affairs and finding little but debts, Cushing, at their request, presented an itemized statement, but it was, of course, never paid.

More than once, Webster's friends in the financial world endeavored to aid him by substantial gifts. Probably the whole story of these subsidies will never be known, but it is certain that his supporters, realizing the monetary sacrifices which he made in order to represent them in Congress on an absurdly inadequate salary, did their best to provide compensations. In 1846, when, at their solicitation, he agreed to return to the Senate after having been for some months a private citizen, a group of well-known Bostonians, headed by David Sears, raised $37,000, and arranged to have the income paid to him semiannually.[1] The full details of this gift were not published until after Webster's death, but there were many rumors afloat regarding it during his lifetime, and its size was much exaggerated.

Among the contributors to this fund were such men as the Appletons, Thomas H. Perkins, Josiah Quincy, Franklin Dexter, John A. Lowell, Thomas B. Curtis, Henry Cabot, William Amory, William H. Prescott, Benjamin Loring, and John L. Gardiner, representing the best blood and traditions of Boston. Their intentions were entirely commendable, and Webster had no hesitation in accepting the gift as compensation for the professional income which he had renounced. . . .[2] A man in public life to-day, however, would hesitate before taking a similar donation. During the Congressional session immediately following, Webster was battling vigorously on the floor of the Senate for a protective tariff — a policy in which many of the subscribers to the annuity fund were materially interested; and, although he was already on record as a supporter of protection, it was unwise for him to open himself to the suspicion of undue influence.

When Webster became Secretary of State in 1850, it was with a distinct understanding between himself and Franklin Haven that money should be provided for his urgent needs. Beset by his creditors, he did not scruple to make his requirements known. Five days after the Seventh of March Speech, he wrote to Haven, pointing out that some Philadelphia and Baltimore Railroad shares which he had been urged to buy on the supposition that they would bring him a handsome profit had not risen, and asking whether, under the circumstances, something could not be done for him, "by means of my Mexican scrip, or otherwise." "I cannot well stay here," he added, "unless I get into a condition in which I can 'breathe more freely.' Think of these things at a leisure moment."[1] The tone of this communication is that of a man who feels that he has the right to ask subsidies from his supporters. He would have resented any suggestion that the acceptance of such contributions affected in the slightest degree his attitude towards public questions, and he believed sincerely that he remained untrammeled, "free as the air." But the fact that his conduct requires a defense is sufficient evidence that it lacked discretion.

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[1] The largest sum received by Webster from this trust fund in any given year was $1135.

[2] Webster to Sears, March 26, 1846, National Edition, XVI, 446.

While he held the position of Senator, engaged in debating the matter of the recharter of the Bank of the United States, Webster continued to accept retainers from the Bank, and actually, on one occasion, wrote a significant note pointing out that his retaining fee had not been "sweetened" for several months. If such conduct on the part of a Senator should come to light to-day, investigating committees would be busy, and the press would descend upon him in a fury of outraged morality.

The attempts of Webster's enemies to prove him guilty of corruption were, however, always unsuccessful. In April 1846, when party spirit was running high, Congressman Charles J. Ingersoll, of Pennsylvania, following a long speech by Webster in defense of the Treaty of Washington, introduced in the House of Representatives resolutions calling for certain documents which would, he declared, furnish proof of Webster's "fraudulent misapplication and personal use of the public funds."[1] After a vigorous debate, in the course of which abusive epithets were exchanged by aggressive partisans, the resolutions were passed, with the approval of Webster's friends, who were confident of his vindication.

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[1] Webster to Haven, March 12, 1850, National Edition, XVI, 536.

Reduced to their lowest terms, the charges made by Ingersoll were that Webster, as Secretary of State, had, during the negotiations regarding the Northeastern Boundary, made an unlawful use of the Secret Service Fund; that he had spent public money and corrupted the press to secure support for the Ashburton Treaty; and that he had defaulted to the amount of $2290, a sum which was neither repaid nor accounted for during two years, but which, as a consequence of a threatening letter from President Tyler, had finally been sent in to the Treasury.

The two committees designated to investigate the various charges had their report ready in June 1846. They showed that the Secret Service Fund had been placed by President Tyler at Webster's disposal and had been administered with the full approval of the Chief Executive, as required by law. Indeed Tyler emerged from his retirement and came personally before the committee in order to exculpate a former member of his cabinet. The second charge was absolutely disproved. As for Webster's alleged "defalcation," it was nothing more than carelessness. When he withdrew from the Department of State, there was a balance against him of $2290. Certain vouchers had been mislaid or lost, and, when the Federal Disbursing Agent, Stubbs, wished to close his books, Webster, with the sanction of the President, obtained vouchers for $200 and paid the balance in cash. Later, after some searching, he presented authentic vouchers for additional amounts, and was reimbursed by the Treasury. The committee, by vote of four to one, declared that there was no reason to impugn "Mr. Webster's integrity, or the purity of his motives in the discharge of the duties of his office."[2]

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[1] Webster felt that Governor Seward, of New York, was back of Ingersoll's action. Julia Webster Appleton, after listening to her father's tirade against Seward, recorded that the latter was an "ambitious demagogue, who would do anything for the sake of votes." (MSS. *Diary*, entry for April 27, 1846.)

[2] There is a full discussion of the whole matter in Curtis, II, 266, ff.

The worst that can be said of Webster is that he had adopted with the United States Treasury the same loose methods which he was accustomed to employ in his private business. By his carelessness and unsystematic methods, he had opened himself to criticism. But he was certainly innocent of anything resembling conscious turpitude.

Even more serious charges were made by Webster's political foes during the frenzy following the Seventh of March Speech. In February 1851, Charles Allen, a Free Soil Congressman from Massachusetts, actuated by partisan hatred, accused him of having made a shameful financial bargain with certain bankers, including Baring Brothers, Corcoran and Riggs, and Howland and Aspinwall. The last installment of the indemnity due Mexico under the Treaty of Guadalupe Hidalgo, amounting to more than $3,000,000, was payable in May 1852; and Webster, as Secretary of State, had allotted the contract for the transfer of this money to the banking firms just mentioned, at a premium of 3½ per cent, instead of to the Rothschilds, who had offered 4 per cent. It was alleged that, if the Rothschild proposal had been accepted, the United States Treasury would have been saved between $30,000 and $40,000. This gave Allen an opportunity to denounce Webster as "a servant and stipendiary of bankers and brokers" and to state that he had accepted the position of Secretary of State only after an understanding that $25,000 was to be raised for him in Boston and a similar sum in New York. Allen implied that the Mexican contract had been awarded to the New York and Boston bankers in order that they might get their money back.

George Ashmun, another Massachusetts Congressman, rushed to the defense, declaring, on Webster's authority, that Allen's accusation was "false in all its length and breadth, and in all its details"; and soon a violent dispute was raging in the Capitol. As we have seen, there was truth in the assertion that Webster had been given another subsidy at the time of accepting a post in the cabinet. During the summer of 1850, forty New Yorkers, among them the partners in the firm of Howland and Aspinwall, had promised to pay over to John C.

Green, for transfer to Webster, the sum of $500 each, in ten quarterly installments.[1] To this extent, the Secretary of State was "the pensioner of Wall Street," and it was unfortunate that he should have been placed in the light of showing lucrative favors to his benefactors. No one who really knew Webster, however, believed him capable of making a sordid bargain, and the House, by a vote of 119 to 35, refused to consider a resolution for a committee of investigation. His complete vindication came at the next session, when the appropriation for the final payment of the indemnity passed both Houses.[2]

The language employed by Webster's critics with regard to his financial transactions has frequently been severe. Parton declared that Webster "never could acquire the sense of *meum* and *tuum*," and asked scathingly, "What need was there that their Senator should sometimes be a mendicant and sometimes a pauper?"[3] Theodore Parker, in paragraphs which are a tissue of malignant falsehoods, asserted that Webster's "later speeches smell of bribes."[4] Undoubtedly his carelessness and prodigality forced him more than once into positions where his need was great, and led him to accept gifts without too scrupulous a regard for the interpretation which might be placed upon his conduct. A man in his high position should have taken more pains to keep his name immaculate.[5] Webster's carelessness in money matters was sometimes not far from moral delinquency. But there is no evidence whatever to show that he ever took bribes or diverted public funds to his own use, or, indeed, that his attitude toward legislation was ever affected by sinister motives. His fault was that, by living beyond his means, he fell into debt, and, obliged to borrow, drifted into financial dependence on men who meant well, but whose influence was dangerous to any statesman.

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[1] Rhodes, following Curtis, stated that Webster never knew the names or positions of the contributors to this fund. As a matter of fact, however, the full list of forty names was sent to him on January 17, 1851, and has been found among his papers. (Olney MSS.)

[2] The whole affair is discussed in Curtis, II, 492–97, and, in a more gossipy style, in Poore, I, 390–93. The treatment in Rhodes, I, 213–15, is just to Webster and is based on the reports in the *Congressional Globe*, Volumes XXIII and XXIV.

[3] Parton, *Famous Americans*, 65.

[4] Parker, *A Discourse Occasioned by the Death of Daniel Webster*, 95–96.

[5] Sometimes Webster did take steps against his calumniators. Writing to John C. Spencer, April 5, 1842, he said, "I have to state to you that Henry H. Sylvester, a clerk in the office of Commissioner of Pensions, said yesterday, publicly, in the hearing of respectable persons, that 'he had no doubt that Mr. Webster had rec'd a bribe for Alexander Powell's appointment as consul.' As I undertake to vouch for the full & exact truth of this, I doubt not you will see what treatment the case requires at your hands."

In their desire to disparage Webster's achievements, certain hostile critics have pictured him as an intellectual parasite, who took credit himself for work really performed by others. Parton said sneeringly, "Nature had formed him to use the products of other men's toil, not to add to the common fund,"[1] and Lodge accused him of ingratitude to Joseph Story, who gave him so much "hearty and generous advice and assistance."[2] There is no question that Webster, like every statesman, made heavy demands upon his friends. On such problems as the Crimes Act, the Judiciary Act, and the Ashburton Treaty, he lightened his own burden by seeking counsel wherever it could be secured, and, being a wise and practical person, availed himself of it whenever it had any value. The Hülsemann Note for instance, was, as we have seen, drafted by both Everett and Hunter, and later revised by Webster; but the responsibility for its final form was his, and his alone, and he had to take the abuse as well as the praise. Furthermore there are, in his correspondence, repeated acknowledgments of his indebtedness to his colleagues. In the Dartmouth College Case, he confessed privately and publicly his obligation to Jeremiah Smith and Jeremiah Mason, and many of his letters exist thanking Justice Story for his aid.

The often-repeated statement that Webster was indolent shows a complete misunderstanding of his temperament. No man who goes to bed at ten and is up at four, in both winter and summer, can be very slothful. Those who have been told that he was lazy should read Webster's correspondence during 1851 and 1852, when he was almost seventy, and follow his travels from place to place, reading the speeches which he delivered on various topics. His published works fill eighteen large volumes, and this is only a small part of his production. There were scores of law cases which did not find their way into the newspapers, and there are hundreds of letters which have never been printed. He performed in his lifetime an enormous amount of hard labor. Writing in 1846, he said, "I have worked more than twelve hours a day for fifty years, on an average."[1] When he declared at Capon Springs, "I know not how the bread of idleness tastes, for I never had a bit of it in my mouth,"[2] he was recording a simple fact. The testimony of his rivals at the bar reveals him as "a man of untiring industry," and Rufus Choate emphasized especially the eagerness of litigants to enlist his services in causes requiring "the most patient and minute investigations of evidence." There were moments, as he grew older, when he seemed apathetic, but this was due mainly to physical weakness; and, even in his sixties, he was capable of sustained exertion which wore out younger men.

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[1] Parton, 65.

[2] Lodge, *Webster*, 108.

Webster's enemies have called him a *poseur* and have pointed out that he enjoyed holding the centre of the stage. This, of course, was true. He was, like all orators, something of an actor, and he derived a harmless pleasure from the adulation of his fellows. Although he was not heroic in stature, there was something about his bearing which made others yield him the conspicuous position. David Cross, of the class of 1841 at Dartmouth College, once said that, in the frequent political processions of his youth, he never saw Webster except marching alone in a hollow square, and this entirely without any planning on the part of the authorities in charge.[3] At the inauguration of Edward Everett in 1846 as President of Harvard, it was Webster who attracted all eyes. When irritated, he could be arrogant and domineering, and in his later life he was impatient of opposition. But although he sometimes deliberately planned a dramatic entrance, he was really simple in his

[1] Webster to an unknown correspondent, May 28, 1846, Van Tyne, 746.

[2] National Edition, XIII, 431.

[3] Letter of President Ernest M. Hopkins to the author, December 23, 1929.

manners, and he was entirely free from pretense or sham. In an age of buncombe and rodomontade, he seldom resorted to theatrical devices to hold the attention of his audiences. He was too consummate an orator to rely on trickery or bombast.

Perhaps the most damning words ever used regarding Webster are those of Parker, when he said, "He was indeed eminently selfish, joining the instinctive egotism of passion with the self-conscious, voluntary, deliberate, calculating egotism of ambition."[1] If this had been true, Webster would deserve no place among the immortals. But those who study his utterances without prejudice will find him frequently sacrificing his political future in order to stand by a principle. Undeniably ambitious, he was nevertheless unwilling to sell his soul for the Presidency. In 1850, he could have withdrawn from the discussion of the Compromise and left himself uncommitted. But that was not the man's policy. Instead, he took the leadership and alienated thousands who, up to that moment, had upheld him. Although he lost their votes, he had the satisfaction of being true to his conception of a united country.

Webster's faults were those of a large and expansive nature. His very generosity, carried too far, became a weakness; his sociability made him too convivial. His popularity stirred his ambition and made him overconscious of his own preëminence. But his vices were never mean or low, and perhaps his very frailties make us love him more.

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[1] Parker, 81. Parker said later, "Selfish egotism is the only continuous thread I find running through the crooked life of the famous American."

XXXIII

THE REAL MAN

Wise men and strong we did not lack;
But still, with memory turning back,
In the dark hours we thought of thee,
And thy lone grave beside the sea.
— John Greenleaf Whittier, "The Lost Occasion"

He not only seemed to give a new nobility to what is noble and great, but he ennobled and made great the common scenes of common life with which he mingled.

— George Frisbie Hoar, "Address at the Webster Centennial at Dartmouth College"

As Daniel Webster lay on his bed at Marshfield, knowing that his days on earth were almost spent, many scenes must have flashed before his mind. He could look back in his imagination to the quiet valley of the Merrimack before it was invaded by mills and locomotives, when, as little "Black Dan," he had first read the Federal Constitution, printed crudely on his cotton handkerchief. That had been a long time ago. Since then, he had done more than any other man to make it a living document and to adjust it to a changed world — a world of which its framers had never dreamed. Well had he earned the title of "Defender of the Constitution."

The frail boy who had watered the horses for teamsters had later talked with kings and queens, with generals and statesmen, himself not the least among them. He had sat in high places and settled the policies of nations. He could recollect tense moments when audiences sat spellbound by his impassioned sentences; when Faneuil Hall was packed to its doors with people eager to hear his voice; when the Senate Chamber or the Supreme Court Room was an auditorium where his phrases made history. He could remember only too well sadder hours, when loved ones lay dying or when cherished hopes were dissipated and disappointments took away his faith in humanity. He was a proud man, and we may be sure that he wondered what posterity would think of him. What verdict would the future render upon his forty years of public service? He was conscious of his frailties and shortcomings and of the ceaseless conflict of motives within his soul. What he longed for in his critics was a sense of justice and an understanding heart. We owe it to him to try, however inadequately, to show him as he really was.

It would seem as if the evidence were ample. During his maturity, he was constantly in the limelight, and his conduct was open to scrutiny. He revealed himself daily in conversations, in letters, and in speeches. Whatever he said was news. It was almost impossible for him to hide any secrets, and there are few statesmen about whom we have so much information. . . . And yet, with the multitude of facts available, it has not been easy to uncover his essential personality. Like most human beings, he was neither saint nor sinner, and his thoughts and emotions were often inconsistent. He did not always act in accordance with the principles which he professed. The testimony, also, is contradictory, and the witnesses do not always agree. Furthermore, there was something almost overpowering about him which made it seem impertinent to analyze his character. A French woman once asked the artist Healy if Webster had ever been in Paris. When he answered, "Yes," she exclaimed, "Dieu! et dire que je ne l'ai jamais vu!" Thorwaldsen, seeing Webster's bust in Powers's studio, pronounced him to be an ancient Jupiter. It was difficult to approach him without being blinded by his splendor.

At the risk of repetition, it must be pointed out that Webster, majestic though he was, had the instincts of the thoroughly normal man. His genius lay in the development of ordinary qualities to an extraordinary degree. John Randolph and Edgar Allan Poe and Rufus Choate were different from their contemporaries, but Webster was literally a superman. The weird phobias and morbidities which occupied the minds of these picturesque figures did not trouble Webster. He was elemental, not subtle; simple, not complex. He was disconcerting, not because of his strangeness, but because of his huge proportions.

He had a passion for the outdoors. "I have kept very bad company," he once said to Professor Felton. "I have lived among lawyers, and judges, and jurymen, and politicians, when I should have lived with Nature, and in the company of the students of Nature."[1] He enjoyed most, perhaps, stupendous sights, like Niagara Falls or Mount Washington or the Mississippi River; but he was also content roaming the Plymouth marshes or idling along the shores of the Merrimack. He liked to watch the sunrise, to plant trees, to pitch hay and turn over the fragrant soil, and to see arid land become fertile. He observed Nature, not in a passive, indolent manner, but as an active searcher for her secrets, and he knew the variations between one flower and another. Visitors were sometimes astonished by his acquaintance with geology, ichthyology, and physical geography.[2] Temperamentally, Webster was not bookish. His reading in printed pages was an acquired taste. The volume which he preferred was that published by Mother Earth herself whenever plants are budding or the leaves in autumn are turning "yellow, and black, and pale, and hectic red."

He was fond, too, of animals, especially great oxen and spirited horses. As a young and middle-aged man, he rode horseback regularly, and, until a few months before his death, he handled the reins himself when he drove to the railroad station. His pleasure in hunting was derived from his walks through the forest rather than from a lust for slaughter. Like a true sportsman, he could work for hours in silence over his guns and fishing gear.

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[1] Curtis, II, 670.

[2] Webster sought the opinion of Judge John Davis in 1830 regarding a so-called "Toad Fish, alias Sea Devil," — a "grotesque and singular fish," — which he had seen at Marshfield. (Congressional Library MSS., III.) During the last of his life, he read Humboldt's *Cosmos* very carefully, and he consulted Professor Agassiz on some problems regarding fresh and salt water fishes.

Although Webster had no reputation as a wit, he possessed a rich vein of humor. His vigorous animal spirits sometimes led him to play boyish pranks upon his intimates, and, with such men as John Taylor, he was exuberant and full of fun. The basis of humor is sympathy — a quality which was one of Webster's highly developed attributes. He made no attempt to say smart things or to coin epigrams. His mind was not very quick in its operations, and he was not given to brilliant retorts. No one of his contemporaries repeats any of his striking phrases.[1] But, among his cronies, he seems to have been jovial and to have kept the table bubbling with merriment.

His tastes were simple. He referred to Marshfield as his "farm," not as his "estate," and he remodeled the old house for comfort, not for display. Although he entertained hospitably, it was without ostentation, and the food was served without any pretense to style. From the *Diary* of his daughter, Julia Webster Appleton, we can get a suggestion of his routine life at Marshfield: his daily chats with the laborers on the grounds; his occasional moods of depression, when everything seemed to be going wrong; his kindness to servants; his rolling his grandchildren in the haycocks; and his eagerness for his evening rubber of whist before he went to bed.[2] Julia describes a "great levee" which he gave on September 21, 1844, to all his neighbors: —

> There were five or six hundred persons here, men, women, and children; they began to come at nine and staid until five. None of the elite favored us. Men came in shirt sleeves and dirty boots, and walked through the house with their hats on. Mother and I tried to entertain them, but found it a difficult task. Everything in the house was a matter of wonderment; one woman said there was as many curiosities as at the Mechanics' Fair. They stared prodigiously at the gilt clocks, which no doubt they thought were

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[1] He once told Healy that artists were like horseflies on a hot day — "Brush them off on one side, and they settle on the other." But this is hardly a notable specimen of wit.

[2] Webster, although fond of whist, was no expert. Once, when he had James W. Paige — known in the family as "Uncle Paige" — for a partner, Webster forgot to return a lead, and Paige, throwing down his cards said, "Mr. Webster, you play like the devil's rag-baby!" (Healy, *Reminiscences of a Portrait Painter.*)

solid gold. Quantities of babies were brought. A table with cake and fruit was spread under the tree, and was cleared as fast as it could be replenished by hungry little boys. I never was more tired than when it was over.[1]

Webster's interest in the fine arts, outside of literature, was almost negligible. When he traveled in England and France, he spent little time in museums or galleries. He liked to sing the evangelical hymns with which he had been familiar in his father's household, and he occasionally allowed himself to be taken to a concert by Jenny Lind or Ole Bull, but his appreciation of music did not extend beyond these rather simple manifestations. His taste in poetry, however, was good, and his copies of Shakespeare, Milton, and Pope were worn with frequent usage. Of current *belles-lettres* he read very little, preferring the recognized classics. He told Dr. Francis that he read *Robinson Crusoe* through at least once every year. Gamaliel Bradford has rightly pointed out that his tastes in literature were "mainly rhetorical." The verse which he himself composed is not of high quality, and is worth mentioning only as an illustration of what a powerful mind can accomplish in a field to which it is not naturally adapted.

Of the vigor and clarity of his intellect, no one who listened to him had any doubt. Dr. Harcourt, Archbishop of York, once said to Robert C. Winthrop, "I met your wonderful friend, Mr. Webster, for only five minutes; but in those five minutes I learned more of American institutions, and of the peculiar working of the American Constitution, than in all that I had ever heard or read from any or all other sources."[2] His reasoning was usually keen and went straight to the heart of a controversy, disregarding trivialities or digressions. He was not to be led astray by technicalities or mere rambling persuasiveness, and he was not easily disconcerted. Those who attempted to argue with Webster found that he had always an explanation for the position which he took. What some people assumed to be his prejudices were actually firm convictions, based upon principles which to him were fundamental. He displayed none of the flexibility or vacillation so characteristic of Henry Clay, and his changes of opinion were always the result of new evidence.

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[1] From the manuscript *Diary* in the possession of Mr. Lewis A. Armistead, of Boston.

[2] Robert C. Winthrop, *Address at the Unveiling of the Statue of Daniel Webster, New York, November 25, 1876*, page 8. This high opinion of Webster's intelligence is corroborated by the testimony of such widely different persons as Alexander H. Stephens, Wendell Phillips, Lyman Abbott, Horace Greeley, and William P. Fessenden.

Webster's mental energy was inexhaustible and, whenever he found himself without an immediate objective, all sorts of projects drifted into his horizon, including plans for important works in history and literature. There was a period when he resolved to prepare "A History of the Constitution of the United States," in three volumes, and the scheme might have been carried through but for his unexpected appointment as Secretary of State in 1850.[1] Van Tyne's suggestion that Webster "had not the tough endurance of the writer of literary monuments" is unquestionably justified by what we know of his character. But a letter from his secretary, Abbott, indicates that he never abandoned the hope of completing a book on the evidences of Christianity and another on Washington's Administration and the Constitution.[2] The truth is that practical matters of government so much occupied his time that he had no leisure for literary composition. He was capable of intense application to a particular problem and could toil indefatigably when necessity demanded it, but he lacked the plodding persistence of Gibbon or of Rhodes.

Except when worn out at the close of a Congressional session, Webster was nearly always busy. His days, wherever he was, were crammed with activity. While he was sitting through a debate in the Senate, he was preparing for an address on some important public occasion; on the same afternoon he might be receiving callers, writing with his own hand letter after letter, and thinking over his brief for some law case involving the interpretation of the Constitution. When he had so many engagements, he could not always give them adequate attention, and he sometimes entered the courtroom expecting to rely on the notes of his junior counsel. But there were few of his clients who had any reason to complain.

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[1] See *The Seventy-Second Anniversary of the Birthday of Daniel Webster, Celebrated by a Number of His Personal Friends, at the Astor House*, pp. 30–32. R. M. Blatchford offered Webster $15,000 for the manuscript of the first volume, and $35,000 more when the work was completed.

[2] Abbott to Edward Everett, April 12, 1854, Van Tyne, 702–8.

He was much more of a thinker than a scholar. During long journeys by stagecoach he had found opportunities for meditation, and his weightiest problems were thought out when he was alone in the woods, a long distance from his library. He had learned, as a lawyer riding the circuit, to dispense with precedents and to depend on the lucidity of his argument. When he spoke extemporaneously, a clever auditor could notice him as he groped for the right word, and he acquired a peculiar habit of trying one synonym after another until he reached the one which pleased him best. A gentleman who heard him speak in the Supreme Court in what was known as the great Wheeling Bridge Case remembered that Webster, in referring to a large sum of money which had been shut up in the vaults of the Bank of Georgia, said with cumulative emphasis, "Now, your Honors, we want the Bank to come out — to show its hand — to render up — to give forth — to disgorge!"[1]

On the platform, Webster showed no signs of nervousness or agitation. Long experience had given him confidence, and he cultivated a deliberate, unhurried deportment which made him impressive. When he was scheduled to speak, he liked to have the background properly arranged and the stage set for his entrance. He had, however, fewer mannerisms than Choate or Wendell Phillips, and none of the palpable artificiality of Edward Everett. Moseley has described him in the Senate, seeking for a word that did not come: "He pauses, puts his hand to his brow, — you would think there was a mote in his eye. Still it comes not; then he puts his hands — American fashion — first into his breast under his waistcoat, deeper than I can, then, to the bottom of his fobs, bends forward, — then the word is bound to come; he throws back his head, and out it comes with a leap, and I promise you, it has its full effect on the Senate."[1]

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[1] Senator Hoar gave another example of this peculiarity: "Why is it, Mr. Chairman, that there has gathered, congregated, this great number of inhabitants, dwellers, here; that these roads, avenues, routes of travel, highways, converge, meet, come together here? Is it not because we have here a sufficient, ample, safe, secure, commodious port, harbor, haven?" In the printed version all but the best word would be omitted. (Hoar, I, 144.)

He was not, of course, always at his best, and there were moments, especially as he grew older, when he seemed listless and uninspired. No man could speak as often as he did without disappointing expectations. Like every orator, he was susceptible to moods, minor physical ailments, and inexplicable whims; and even on great occasions, such as the completion of Bunker Hill Monument, he appeared to be automatically going through the motions — nothing more. But even when he was most lethargic, he was likely to shake himself at any moment, as if the old lion had been merely drowsing, and burst into impassioned speech.

Webster enjoyed popular applause and the thrill which he created among his audiences. No man could be so constantly the object of adulation without developing a sense of superiority. He was, however, never offensively autocratic or dictatorial unless he was driven to a point where he had to assert himself. When Webster adopted a tone of self-depreciation, he was not convincing. He was far more natural when he abandoned false humility and admitted his superiority. He asked favors of others and received gifts from them like a feudal overlord accepting homage from his tributaries, and most of his benefactors felt rewarded by his smile of gratitude. If goaded too far, he became arrogant, and his anger could be terrible. "His antagonism was tremendous," said Robert C. Winthrop, recalling certain encounters with him in the past. He was impatient of opposition, and sometimes expressed himself in a tone of colossal egotism. But, except when ill with catarrh, he was remarkably even-tempered, and he kept himself well under control. The outbursts of petulance in which he indulged were only temporary, and he usually apologized for them.

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[1] Emerson, *Journals*, VIII, 174.

It was impossible for Webster to cherish a hatred very long. Of course he had his quarrels, and he could be scathing in his denunciation of those who blocked his plans. But he was incapable of nursing an animosity. It was characteristic of him that he only rarely introduced personalities into his speeches. In legal arguments he was equable, showing the utmost coolness under fire. His restraint was the more commendable because he had a gift for corrosive sarcasm, and, when enraged, could wither his adversaries by stinging phrases. But even when attacked with violence he was accustomed to reply courteously, and after the dispute was over he was the first to seek reconciliation. Though he seemed imperious, he was kindly by disposition, wishing to be on good terms with everybody. Clay's persistent antagonism to Webster was due more to jealousy than to hatred. Even his enemies have testified to his amiability. Only towards the end of his career, when the Abolitionists so maligned him and he was misunderstood and misinterpreted, did he turn on his traducers with a bitterness which showed the wrath in his heart.

Webster's capacity for friendship was something more than Clay's camaraderie or Franklin Pierce's buoyant good nature. Throughout his life, wherever he was located, he was surrounded by men who admired and loved him and gave unmistakable proofs of their affection. And Webster responded in the same unselfish spirit. John Quincy Adams, commenting on the break between Abbott Lawrence and Webster, said that the latter treated his intimates as Goldsmith declared that Garrick did his: —

> He cast off his friends as a huntsman his pack,
> For he knew when he pleas'd he could whistle them back.[1]

This, however, was merely one of Adams' caustic outbursts, and there is almost no evidence to support it. Webster's friends stood by him, and he by them, and he liked to gather them around him wherever he was. He and his brother, Ezekiel, were very close for years without quarreling. Such able men as Jeremiah Mason, Edward Everett, and Rufus Choate were unfailing in their loyalty. During the last months of Webster's life, while Colonel Thomas H. Perkins was visiting him at Marshfield, Webster tried to make him a payment on a note of $3000; but Perkins refused and gave Webster the note, together with the mortgage deed which secured it, and would accept nothing in return but a walking stick.[1] Business men like Franklin Haven and Hiram Ketchum and Peter Harvey were always ready to abandon their affairs and assist Webster out of his difficulties. Dr. James McKeen, of Brunswick, Maine, was once traveling for a day on a stagecoach with Webster, whom he did not know. When they came to the parting of their ways, Dr. McKeen said, "I never met a man in my life whom I liked better than you, and I do wish that you would tell me your name." "Why, sir, I am just plain Daniel Webster, from Boston." "Well, well," said the physician, "I don't wonder that everybody admires you, for I never met with a better traveler, and I have traveled much." Edward Everett, who chose his words carefully, said of Webster, "I never knew a more generous spirit, a safer adviser, a warmer friend."

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[1] Adams, *Memoirs*, X, 43, entry for November 16, 1836.

To servants and employees, Webster was a gracious and thoughtful master. He watched for days at the bedside of the dying Nathaniel Roy Thomas, the manager of his Illinois farm. Almost his last conscious act was to write and sign a check for five hundred dollars to pay the wages of the laborers at Marshfield. He was more solicitous for the health of Porter Wright and John Taylor than for his own.

As a host, Webster arranged for even the most trifling details, taking good care that every wish of his guests was satisfied.[2]

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[1] Article by George W. Nesmith, *Granite Monthly*, III, 362.

[2] A letter to Captain Abraham Stevens, of Franklin, hitherto unpublished, indicates Webster's thoughtfulness: "The bearer of this is Monroe Davis, who studied with me and means to be a better lawyer than his master. Give him a lodging, some bread and butter, etc. and take care of him. Take your waggon, drive him up and show him where I was born — if he wishes; go with him to the top of Kearsarge Mountain.

After his own work had been accomplished in the early morning, he was at their disposal, and planned excursions for them to take. Family ties meant much to him, and he liked to feel that he was founding a dynasty. Children instinctively sought shelter on his lap or in his arms. It was a disappointment to him that he had no children by his second wife, and she once declared, after playing with the small daughter of one of the neighbors, that she "would go bare-footed from Washington to Boston to have such a white, soft, pretty baby of her own."[1] He settled $7000 on Fletcher at the time of the latter's marriage and was equally liberal with Edward when he entered the army during the Mexican War.

Webster was much stirred by the struggles of the Greeks for independence, and later declared himself in favor of the Hungarian patriotic uprising. But he was very little troubled with the poverty or suffering of the lower classes. On such questions as the improvement of factory conditions, the proper treatment of prisoners, and the elimination of disease, he had nothing to say. De Tocqueville tried to interest him in prison discipline, but Webster showed impatience, saying that "it was useless to try to reform criminals."[2] Francis Lieber wrote Hillard that Webster's chief weakness was that he had "no eye or heart or action for embryo elements of the new day."[3] With the humanitarian movements which were starting during the years before the Civil War, Webster, like the majority of his generation, had nothing to do. He was quick to relieve individual distress, but the burdens of humanity did not rest heavily on his conscience.

As a young man, Webster formally united with the church of the Reverend Thomas Worcester, at Salisbury Center Village,

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Introduce him to Mr. Kelley, and do what you can to please him so long as he can be contented to remain among you. Give him one of your wife's clean beds, and a little bread and butter, and he will do well." (From an undated letter, in the possession of Mrs. Ernest Smith, of Franklin, New Hampshire.)

[1] Healy. For a story showing the magnetism which Webster had for children, see Harvey, 126.

[2] Related by De Tocqueville to Francis Lieber, who quoted it to show Webster's indifference to humanitarianism.

[3] Lieber to Hillard, December, 1852, Lieber, 256.

which was Orthodox Congregational in doctrine.[1] In Portsmouth, he joined the Presbyterian Church, of which the Reverend J. W. Putnam was pastor. When he moved to Boston, he took a letter to the Brattle Street Church, of which he was officially a member until his death.[2] When at Marshfield, he always attended Sunday service, sitting in a pew near the front side wall, to the left of the pulpit, and taking part devoutly in the singing and the prayers. He looked upon the church as a bulwark of society, essential for its protection and preservation — a barrier against radicalism and anarchy. It was as important to morality as a bank was to finance. It was understood at the time that he wrote the penultimate paragraph of Harrison's Inaugural Address in 1841, expressing the President's profound reverence for the Christian religion.

In his religious beliefs, Webster was as conservative as in his political economy. When he was only twenty-five, he wrote out a "Confession of Faith," which he sent to his pastor, Mr. Worcester, and which was thoroughly orthodox. One of the articles was, "Although I have great respect for some other forms of worship, I believe the Congregational mode, on the whole, to be preferable to any other."[3] He became a life member of the American Bible Society and an honorary member of the American Board of Commissioners for Foreign Missions. He spoke in 1831 at a meeting of the Directors of the American Sunday School Union, praising Sunday Schools for teaching "the great truths of Revelation."[4] He wrote in 1845, "The longer I live, the more highly do I estimate the importance of a proper observance of the Christian Sabbath."[5]

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[1] Webster joined Dr. Worcester's church on September 13, 1806.

[2] Oddly enough, at a meeting of subscribers to a fund for the erection of a new Episcopal Church in Boston, April 19, 1819, Webster was appointed a member of the Building Committee, to buy a suitable lot of land for a site. His son Charles was baptized in the Brattle Street Church on June 30, 1822; Grace Fletcher Webster was admitted a communicant there on June 1, 1823; and Fletcher Webster was married there on November 27, 1836. (*Records of the Church in Brattle Square.*) In Washington, Webster attended the Protestant Episcopal Church and frequently partook of communion. (Letter of R. B. Rhett to the Charleston *Mercury*, November 3, 1852.)

[3] National Edition, XVI, 9–10.

[4] Van Tyne, 740.

[5] Webster to Ridgley, March 3, 1845, Van Tyne, 745–46.

He had an unshaken trust in a life beyond the grave, expressed more than once in letters to members of his family. In giving instructions for his will, he said to Curtis, "Follow the old forms, and do not let me go out of the world without acknowledging my Maker," and, after attaching his signature, he raised his hands and cried, "Oh, God! I thank Thee for all Thy mercies!"[1] His farewell speech to his household was full of solemn religious fervor, especially when he declared, "that there *is* a God, all must acknowledge. I see Him in all the wondrous works." Shortly before he breathed his last, he repeated the Lord's Prayer in "clear and distinct tones."[2]

In his own household, Webster read passages from the Bible aloud to his family on every Sunday morning; and he carried a copy with him on all his journeys. Lanman tells the story of a man who happened to be at Marshfield on a beautiful summer evening, when Webster, standing beneath the weeping elm near the house, quoted from the Eighth Psalm, beginning with the words, "When I consider thy heavens, the work of thy fingers, the moon and the stars, which thou hast ordained," and then went on to talk of the Old Testament, and especially of the Book of Job, which he considered superior to the *Iliad* or the *Odyssey*.[3] Unskeptical in his attitude towards religion, Webster cared little for metaphysics. He does not mention Plato or Aristotle, but Professor Felton once found him reading Cicero's *De Natura Deorum*, a treatise which he proposed to translate and edit. Except in certain moods, however, Webster's tastes did not run towards philosophical speculation. Pragmatic in his ethics as well as in his politics, he sought primarily for a system which would work.

The most dramatic story on record of Webster's sentiments regarding religion is related by Harvey and concerns a dinner at the Astor House, when the Secretary of State, apparently very much self-absorbed, would not respond to the efforts of the guests to lure him into conversation. Finally one, more audacious than the others, summoned up courage and asked, "Mr. Webster, I want you to tell me what was the most important thought that ever occupied your mind." The situation, under some conditions, might have become absurd; but Webster treated it seriously. Turning to his neighbor, he passed his hand across his forehead in his favorite gesture and asked in a low voice, "Is there any one here who does not know me?" "No, sir," was the answer. "They all know you, — are all your friends." Meanwhile everybody had remained expectantly silent. Then, straightening up, Webster said, in those tones which never failed to thrill those who listened to them, "The most important thought that ever occupied my mind was that of my individual responsibility to God!" According to the narrator, he spoke to the gathering for twenty minutes, rose from the table, and retired to his bedroom. The others in the company, awe-struck, adjourned to the parlor to talk it all over and exclaim, "Who ever heard anything like that?" Probably not a man living except Daniel Webster could so have dominated such a gathering; but he left with them an impression which lingered long after his actual words were forgotten.[1]

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[1] Curtis, II, 697.

[2] *Ibid.*, II, 698.

[3] Lanman, 101 ff. Webster said to Harvey Ely, at Rochester, "I have read the entire Bible through many times. I now make it a practice to go through it once a year." (Lanman, 104.)

Harvey is also the author of the oft-repeated account of the visit which he made in the autumn of 1851 with Webster to the home of the latter's brother-in-law, John Colby, at Andover, New Hampshire, some miles from The Elms. Colby had married Webster's oldest half-sister, Susanna, who had died in 1804, and Daniel had not seen him for forty-five years. As a youth, Colby had been a reckless dare-devil — "the wickedest man in the neighborhood, so far as swearing and impiety went." Hearing of his conversion, Webster resolved to call upon him. As the visitors drove up to the door of Colby's house, they saw sitting in the front room a huge figure, his massive head crowned with thick bushy white hair. On the table before him lay open a ponderous Scott's *Family Bible*, with its large print. Looking up from its pages, and removing his spectacles, Colby said, "Come in, gentlemen." When Webster revealed himself as "little Dan'l," the patriarch was incredulous, but he soon recognized his brother-in-law, and after commenting on his success, continued, "I want to ask you one important question. You may be a *great* man; are you a *good* man?"

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[1] The anecdote is told in Harvey, 402, but the names of those present are not given, nor is the date recorded.

Although the situation was a trifle embarrassing, Webster was equal to it, and replied: "I hope that I am a Christian. I profess to be a Christian. But, while I say that, I wish to add, — and say it with shame and confusion of face, — that I am not such a Christian as I wish I were. I have lived in the world, surrounded by its honors and temptations; and I am afraid, John Colby, that I am not so good a Christian as I ought to be." They chatted for a while, and then Colby asked, "Daniel, will you pray with me?" They all knelt down, and Webster offered an eloquent prayer, which Colby continued. After some refreshments of bread and milk, Webster and Harvey drove back, the former moralizing on the amazing transformation in the once loose-living Colby. When John Taylor met them at the door of The Elms, Webster cried, "Well, John Taylor, miracles happen in these later days as well as in the days of old." "What now, squire?" asked Taylor. "Why, John Colby has become a Christian. If that is not a miracle, what is?"[1]

To those who have pointed out that Webster's conduct was not always that of an ascetic, it can only be answered that theory and practice do not invariably correspond, even in the lives of the most saintly. He was, however, sincerely interested in religion and in the church. He preferred sermons which were direct and simple, expounding "gospel truths," and he deprecated all efforts at display in the pulpit. He wished to hear discourses in which he was made "to feel a sinner, accountable to his God." Political sermons, even when they agreed with his principles, were distasteful to him. "I do not go to church to learn history," he declared, "but to be reminded of duty." He once said that if that great conservative influence, the pulpit, could be properly managed, "this Government and its institutions would last forever."

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[1] This story is recounted in much more detail in Harvey, 412–21. Harvey was an excellent reporter, who undoubtedly tried to emulate Boswell in the accuracy of his descriptions.

Webster's high regard for propriety made him uphold the social and moral conventions. Government and stable society were founded largely on property and should be controlled by respectable persons He indulged in no mystical Utopian visions, preferring rather to take the world as it is. He believed, without hypocrisy, in the importance of decorum and prudence; and thus he was found on the side of the established church and of law and order. He chose as his associates people with a stake in the community, who were not likely to be restless.

There was nothing ethereal or spiritual about Daniel Webster. Without being gross or sensual, he was fond of good food and good drink, and physical pleasures had a strong appeal to him.[1] At the same time, he was not coarse. He was never profane or vulgar in his language, and one of his friends stated that no one ever dared to tell an indecent anecdote in his presence. He was neither fastidious nor excessively sensitive, but his nature was essentially healthy and sound.

Webster was far from being a theorist in politics; indeed he had little use for the kind of idealism which wastes itself in futile gestures and spasmodic attempts at reform. He was a man of the world, who understood the motives upon which human beings act and the desires which drive them onward. Implicated as he was in intrigues, it is a marvel that he escaped being a confirmed cynic. All around him were selfish office-seekers, bargaining, temporizing, and scheming, looking upon politics as a battle in which the end justified the means. He himself, through tutelage and experience, had developed into something of a politician, who was not above plotting and who, although not unscrupulous, was often shrewd and artful. In order to secure for himself an appointment as Minister to

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[1] Webster's waistline of forty-two inches in his later life is good evidence that he had not stinted himself on food. The figures are taken from the trousers which he wore at Marshfield in 1850.

England, he was capable of "holding up" John Quincy Adams. When his friends formed conspiracies in his behalf, he was discreetly blind. In short, he was the child of his age so far as political morality was concerned, and he knew very well how to play the game. He did, however, hold aloof from deceit or corruption, and he prided himself on his independence.

In many respects, indeed, Webster was the most independent thinker among American statesmen of the first half of the nineteenth century. He stood out in 1812 against the fiery and inspiring nationalism of Clay and Calhoun, which was obviously the popular mood; he probably lost his chance of the Presidential nomination in 1836 through his indifference to the Antimasons; he upheld John Tyler in the latter's quarrel with Clay, when there was everything to lose by deserting the Whigs; he opposed the nomination of General Taylor in 1848 and later supported him only lukewarmly; he dared, in his Seventh of March Speech, to defy public opinion in the North. Again and again he faced hostile audiences, in Faneuil Hall and in the Senate Chamber, and by sheer audacity won them to his side. The man who accuses Webster of subserviency simply does not know Webster's career. He was incapable, for example, of any such illogical shift of opinion as that of Henry Clay in 1844 on the question of the annexation of Texas.

Webster's attempts to veil his ambition deceived no one. Conscious of his ability and of the place which he would occupy in history, he believed that the Presidency was the proper symbol of his attainment and did his utmost to secure a nomination by his party. This aspiration was entirely legitimate and has been felt by most leading American statesmen, including Lincoln and Roosevelt. He was not, however, willing to sacrifice his independence for it. That Webster was potentially a great President cannot be doubted. He would have commanded the respect of Europe far more than Polk or Taylor or Pierce. But the Presidency of the United States is usually awarded on other grounds than efficiency or genius, and there was never a moment when Webster really had a chance.

There is an irresistible temptation to search for men with some resemblance to Webster in temperament and attitude towards life. His type is not common in the United States,[1] and the closest parallel, as Rufus Choate pointed out, is to be found, perhaps, in Walter Scott. Both loved the outdoors and aspired to be country gentlemen. Both, through their own efforts, built up landed estates, on which they were prodigal in their expenditures. Both had extraordinary productiveness, Scott in literature and Webster in oratory. Both were strongly Tory in their political views. Both had an amazing capacity for friendship and the gift for drawing followers to them. If they had met, they would have been congenial, whether at Abbotsford or Marshfield.

Like Scott, too, Webster was an optimist, with a deep-rooted faith that the world was growing better. Occasionally, when he was shaken by an illness or thwarted in a project, he drooped into depression, but he needed only another sunrise to renew his cheerfulness. His full-blooded, exuberant disposition endowed him with confidence and accounted for his philosophy. Blest with the luxuries and pleasures which come to the successful, he was untroubled by the degeneracy and destitution which he did not see. The people whom he knew dwelt on Mount Vernon Street or in Lafayette Square or on comfortable farms in the Old Colony. As he saw it, the United States was the most prosperous country on earth: the laborer was earning easily a living wage; men and women were happier than they had been since Noah's Flood. If he was ever oppressed by "the weariness, the fever, and the fret," he attributed his mood to bodily causes, and consulted his physician.

It was, of course, as an orator that Webster gained his power over men. He published almost nothing which had not first been declaimed before an audience. His spoken words, in Congress, in the Supreme Court Chamber, and from countless platforms throughout the East, made him potent among our thinkers. His strength lay in his ability to present ideas in a sonorous voice, backed by the inexplicable magnetism of his personality. Most orators have their prolix and vapid moments, when they use sound as a substitute for sense and lapse into the reiteration of platitudes; and Webster was not guiltless in this respect. But he did not often speak without having something to say, and he employed less "padding" than any other American public speaker. Having learned, through experience, the value of terseness, precision, and simplicity, he seldom failed to be understood. Joseph Neilson, after some laborious computation,[1] demonstrated that Webster, in his Seventh of March Speech, used 31 per cent of words of Teutonic origin, as compared with 29 per cent for Edward Everett, 26 per cent for Macaulay, 26 per cent for Pitt, and 23 per cent for John Marshall. His percentage of Latinized words was 62 — well below that of John Quincy Adams, William Pinckney, and Edmund Burke. These figures are sufficient to prove that Webster's style was more basically Anglo-Saxon than that of most of his rivals.

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[1] "Webster was a Yankee squire, the descendant of some fox-hunting master of broad English acres, who by a freak of fortune had got born into the family of a New Hampshire yeoman. No Englishman was ever more English than he." (Parrington, *The Romantic Revolution in America, 1800–1860*, 304.) This section of Parrington's excellent book gives a careful summary of the attitude of twentieth-century liberals towards Webster.

Although analyses of this sort are of some psychological importance, they do not explain the mystery of Webster's influence. Even those biographers who have taken a malicious joy in exposing the blemishes on his character have confessed to being overawed by his splendor. In all American history there has been no statesman who, in manner and bearing, appeared so noble. Even the fanatical Theodore Parker admitted that, since Charlemagne, there had not been "such a grand figure in Christendom," and that beside him "Clay looked vulgar, and Van Buren but a fox." There was about him always "an aura of the heroic."

What of permanent value did he leave behind him besides memories of his magnificent presence? He was neither infallible nor invincible. He was unwise when he opposed the War of 1812; he was mistaken when he assailed the Sub-

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[1] Neilson, *Memories of Rufus Choate*, 107–11. This is probably the most thorough analysis of oratorical styles ever made.

Treasury; and he was wrong when he tried to block the pioneer movement as it extended to the West and the South. But he was often ahead of his time, as, for instance, in his aversion to war — a feeling which later war-weary generations can understand and approve. Certain critics take him to task for not being more progressive; but it is indisputable that liberal leaders always seem more picturesque and romantic than those of conservative tendencies. In our twentieth century, liberalism is being praised excessively, and the advocates of change are much more lauded than they would have been in the decades following the Civil War. Perhaps for this reason Webster is less highly regarded now than he was in the 1880's.

But Webster came on the scene in an epoch when the Federal Government, originally made possible only through concession and compromise, was beset with danger from sincere but narrow-minded zealots. During its first half century, the important matter was to keep the new republic from breaking up into smaller parts. It had to be guarded through perils, domestic and foreign, until it could reach maturity. It was vital to create and foster a sentiment favorable to national unity. This Daniel Webster, as lawyer and statesman, was able to do. When, in Washington, reckless men insisted on rocking the ship of state, it was his function to steady the craft and keep it afloat. Conservatism was, at that period, more of a virtue than progressiveness. The longer secession could be postponed, the more likely the Union was to endure; and to its preservation all else was subordinate.

This, then, was Daniel Webster's great contribution to history. His extolling of the written Constitution; his insistence that it should be interpreted broadly, with sufficient stress on the "implied powers" assigned to the national government; his recognition of the menace of nullification; and his condemnation of sectionalism and State rights — all these were manifestations of an underlying theory, the essence of which was "The Union must be preserved." It was to spread his conception of a unified republic that his two noblest speeches were delivered. When finally, after his death, civil war did eventuate, it was Webster's doctrine, from the lips of Abraham Lincoln, which animated the North and made its victory inevitable.[1] It is not hyperbole to say that we owe the very existence of our Union to the glowing words of Daniel Webster.

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[1] "Lincoln was the heir of Webster. He regarded the Union and the Constitution with his predecessor's eyes. Moderation, fundamental in both men, was then regarded as indecision and time-serving. Now we recognize it as the purest wisdom. What then seemed faltering we now know to have been firmness." (Phelps, *Some Makers of American Literature*, 85.)

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